

7/25/2018

Gmail - ALEC is Where the Action is. See for Yourself in our 2016 Annual Report

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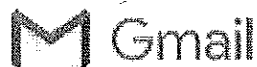
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Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

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**Sarah, You're Invited to the 44th ALEC Annual Meeting**

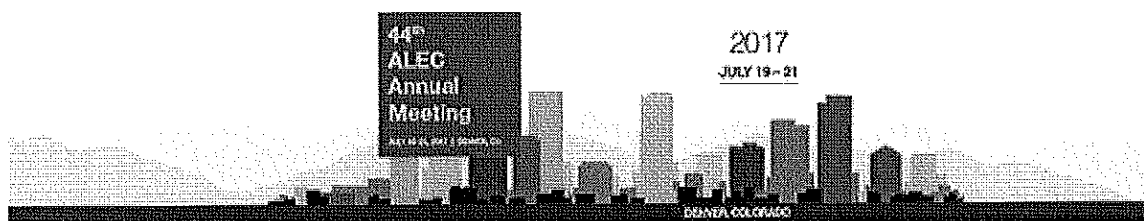
1 message

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**Lisa B. Nelson** <lisanelson@alec.org>  
To: latoursm@gmail.com

Mon, Apr 3, 2017 at 2:01 PM

To view this email as a web page, go [here](#).

**44th ALEC Annual Meeting  
Registration Opening Day**[Click Here to Register Today](#)

ALEC invites you to celebrate **Limited Government, Free Markets and Federalism** with us at our **44th Annual Meeting, July 19 - 21** in the great state of Colorado. You will not want to miss this policy-packed event full of the hard-hitting issues your constituents care about most.

Come witness and be a part of the exchange, from local and state elected officials, to heads of industry and everyone in between. ALEC offers all stakeholders a seat at the table to share state-based solutions through a collaborative exchange of ideas and experiences.

It's not all work and no play, make it a family affair! After popular demand, we are excited to extend your children the opportunity to take part in the ALEC Kids' Congress Program. Your kids will have the opportunity to see the city of Denver and root for the Rockies at a home baseball game, all the while making new friends and enjoying the wide range of activities Colorado has to offer.

Don't miss out on the chance to join us in colorful Colorado. For more information regarding the meeting, go to [alec.org/meetings](http://alec.org/meetings) or keep an eye on your inbox for recurring updates. In the meantime, use **#ALECIDEAS** via social media to invite your friends.

Below you'll find an exclusive sneak peak of our line-up.

- **Opening Lunch:** Steve Forbes welcomes attendees with a discussion of top priority issues facing America today
- **Friday Lunch:** Right-to-Work panel discussion including Kentucky Governor, Matt Bevin
- **Workshops:** Issues from Education, Health Care to Autonomous Automobiles

**When:** July 19 - 21, 2017  
**Where:** Hyatt Regency - Denver, CO


I look forward to seeing you in July,

*Lisa B. Nelson*  
Chief Executive Officer  
American Legislative Exchange Council

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Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

## The ALEC Model Policies are Ready for the Spring Task Force Summit, are You?

1 message

American Legislative Exchange Council <kjohnson@alec.org>  
To: latoursm@gmail.com

Mon, Apr 3, 2017 at 6:01 PM

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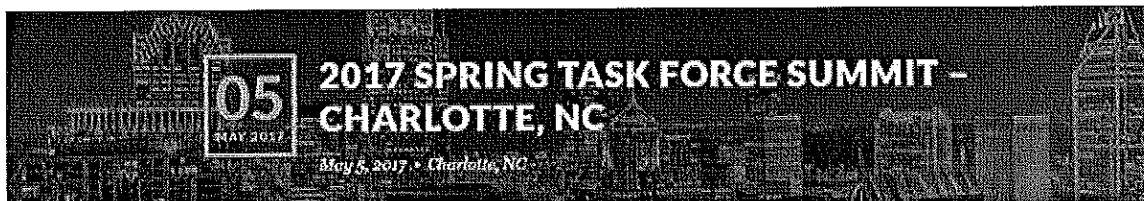


As the Spring Task Force Summit nears, please make sure to take a look at the task force materials below! Included on each task force webpage are agendas for the task force meetings and task force subcommittees, as well as a list of the model policies for consideration. We look forward to seeing you in Charlotte, as we discuss a wide range of state-based solutions for some of today's biggest policy topics.

Review the draft policies, speakers and other agenda items for each task force meeting below:

- Civil Justice
- Commerce, Insurance and Economic Development
- Communications and Technology
- Criminal Justice Reform
- Education and Workforce Development
- Energy, Environment & Ag.
- Health and Human Services
- Tax and Fiscal Policy

[Click Here for the Complete List of Model Policies](#)

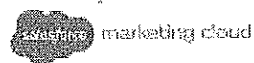


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**Your Center to Restore the Balance of Government Update ☒**

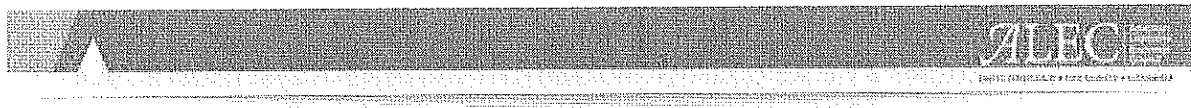
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**American Legislative Exchange Council** <kjohnson@alec.org>

Tue, Apr 4, 2017 at 12:00 PM

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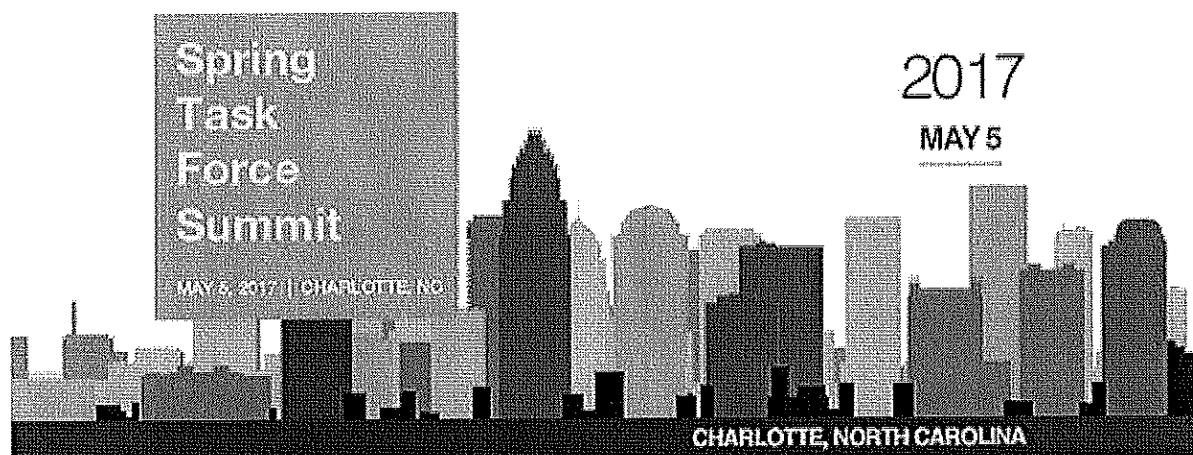
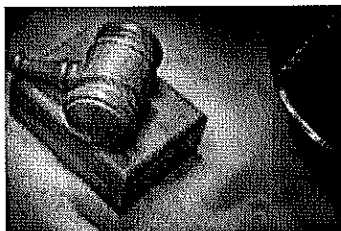
Center to Restore the Balance of Government



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[Click Here to Register Now](#)**Special Event****Article V Event in South Carolina**Contact Karla Jones | [kjones@alec.org](mailto:kjones@alec.org)[Click Here for More Info](#)

As a continuation of the Article V educational series in the states, ALEC and NFIB are hosting an educational breakfast at the South Carolina Capitol the morning of Wednesday, April 19. Contact Karla Jones at [kjones@alec.org](mailto:kjones@alec.org) for more details.



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## In the News

**Rob Natelson Discusses Article V on Colorado Public Television**

Rob Natelson | Colorado Public Television


[Read the Full Article](#)

Last month, Rob Natelson, member of the ALEC Board of Scholars and author of the ALEC Article V Handbook, appeared on *Devil's Advocate*, a Colorado Public Television program. Natelson observed that the Article V provision empowering the states to propose a constitutional amendment was created for a time like this when Congress is the source of the dysfunction and cannot be expected to reform itself. [Read more here.](#)



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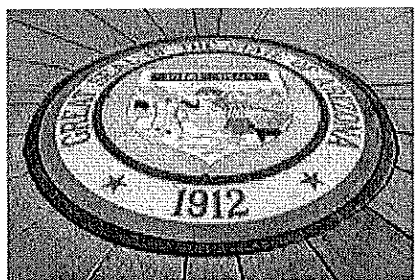


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## Featured Article

**If You're Not at the Table, You're on the Menu**

Fritz Pettyjohn | Article V


[Read the Full Article](#)

On September 12, 2017 an Article V planning convention will be held in Phoenix, Arizona. It is the first convention of the states to be convened since 1861! The purpose is to propose rules for any subsequent Article V amendments convention and to recommend where the amendments convention should be held. [Read more here.](#)



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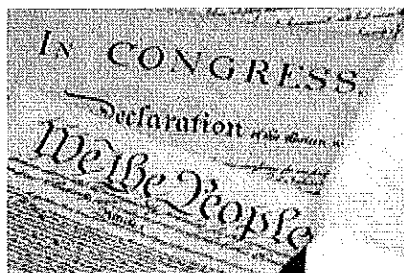


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## Expert Insight

**What if 34 States Submit Article V Applications and no one is Counting**

Karla Jones | Article V | Federalism


[Read the Full Article](#)

Article V of the U.S. Constitution establishes a procedure for states to propose constitutional amendments in much the same way that Congress does. Our Founding Fathers included this mechanism to maintain the originally-intended balance of power between the federal and state governments. ALEC has long championed the Article V process – recently updating a handbook on the topic and adopting model policy supporting various Article V initiatives. [Read more here.](#)



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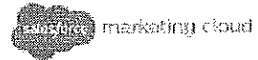


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Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

**Work Requirement for Medicaid? REGISTER for the next ALEC meeting today!**

1 message

Mia Heck <mheck@alec.org>  
To: Mia Heck <mheck@alec.org>

Wed, Apr 5, 2017 at 12:37 PM

Dear Health & Human Services Task Force members,

Hope this message finds you well, and also that you are planning to attend the ALEC Spring Task Force Summit in Charlotte, NC on May 5!

At this meeting we will consider model policy to allow a work requirement for the Medicaid expansion population, as well as discuss what will best position states to implement market-based reforms in response to repeal and replacement of the Affordable Care Act. I hope you will attend and be a part of these critical policy discussions.

Are you aware ALEC reimburses state legislators for travel expenses? State legislators may take advantage of the ALEC reimbursement program to help offset your cost to attend our Spring Task Force Summit. If eligible, you can receive up to \$350 in travel reimbursement and two nights' hotel stay. Please contact Spencer Chretien at schretien@alec.org for more information.

To vote on model policy and engage in discussions on limited government, free-markets and federalism, you may register for the Spring Task Force Summit online by clicking on this link: <https://www.alec.org/meeting/2017-spring-task-force-summit-charlotte-north-carolina/>. No time to register online? Let us help in 3 easy steps:

1. Have your credit card on hand.
2. Call (571) 482-5155 (No answer? We're probably helping someone on the other line. Leave a message and we will call you back.)
3. Answer a few questions.

Let me know if you have any questions and I look forward to seeing you in Charlotte!

Mia

Mia Heck, MBA

Director, Health and Human Services Task Force

2900 Crystal Drive, Suite 600

Arlington, VA 22202

D 571.482.5022

M 210.284.0388

**Upcoming Meetings:****2017 Spring Task Force Summit – May 5, 2017 – Charlotte, North Carolina****2017 Annual Meeting – July 19-21, 2017 – Denver, Colorado****2017 States and Nation Policy Summit – December 6-8, 2016 – Nashville, Tennessee**

The American Legislative Exchange Council is a 501(c)3 nonprofit organization and is the largest nonpartisan, voluntary membership organization of state legislators in the United States dedicated to the principles of limited government, free markets and federalism. The Council is governed by state legislators who comprise the National Board of Legislators and is advised by the Private Enterprise Advisory Council, a group of private, foundation and think tank members.



Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

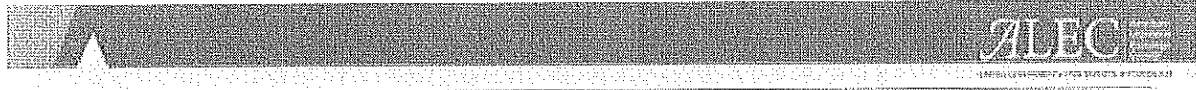
**Membership Update**

1 message

Mia Heck <mheck@alec.org>  
To: latoursm@gmail.com

Wed, Apr 5, 2017 at 3:00 PM

To view this email as a web page, go [here](#).



Dear Sarah,

I want to take this opportunity to introduce you to Victoria "Tori" Eberlein. Tori recently joined the American Legislative Exchange Council (ALEC) as the new Manager of Membership and Development. Marie Vulaj, the Senior Director of Membership and Development, is out on maternity leave, and Tori will be stepping in to serve as your membership contact across the next two months. In this capacity, she will be working with the private sector on member renewals, growing Task Force membership and collaborating with the Task Force Directors to ensure member value.

Prior to joining ALEC, she worked as a Marketing Associate at the Advisory Board Company, where she developed and executed strategies to increase membership. As a new arrival to Washington, DC in 2015, she interned with the Special Events department at The Heritage Foundation.

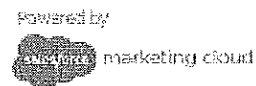
She will be reaching out across the next few weeks to personally introduce herself and learn more about your priorities and objectives.

Best,

Mia Heck  
Director, Health and Human Services Task Force

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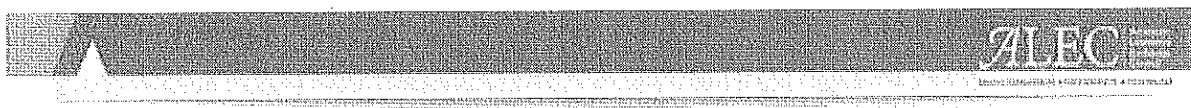
## ALEC Digital Exchange: Housing Deadline for the Spring Task Force Summit is April 11th!

1 message

American Legislative Exchange Council <kjohnson@alec.org>  
To: latoursm@gmail.com

Thu, Apr 6, 2017 at 12:01 PM

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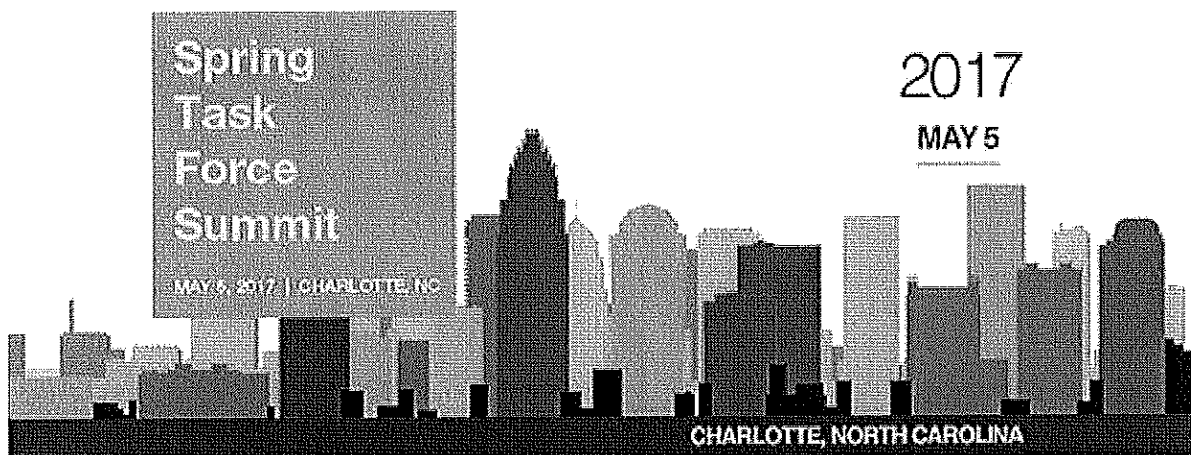
Digital Exchange - April 6, 2017



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[Click Here](#) to Reserve Your Housing for the Spring Task Force Summit Today! Housing Deadline is Next Tuesday, April 11th

Still Need to Register?

[Click Here](#)

### ALEC Events Update

**Registration for the 44th ALEC Annual Meeting is Now Open**  
Register Now | Meeting Agenda | Registration Fees

Pack your bags for Denver, Colorado. ALEC invites members and non-members alike to join us **July 19-21** to celebrate **Limited Government, Free Markets and Federalism** in colorful Colorado. Click here to take advantage of early bird registration rates.


[Watch the Full Promo](#)


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## In the News

### Ronald Lampard Discusses Freedom Caucus on OAN

Ronald Lampard | Director, ALEC Criminal Justice Reform Task Force | Tipping Point


[Watch the Full Interview](#)

Ronald Lampard, Director of the ALEC Criminal Justice Task Force, discusses President Trump, the Freedom Caucus and healthcare on Tipping Point with Liz Wheeler.



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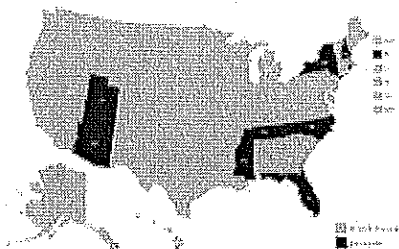


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## Featured States

### The Best of the Best on Tax Policy

State Tax Cut Round Up 2016 | ALEC Center for State Fiscal Policy


[Get Your Copy](#)

As Congress turns its sights to tax reform - find out which nine states **already are winning** - providing substantial tax relief for their citizens by enacting pro-economic growth policies. Click here to see if your state was named best of the best for tax reform.



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## New Model Policies

### 2017 STFS Model Policies are Now Released

[View 2017 STFS Model Policies](#)

As the Spring Task Force Summit nears, make sure to take a look at the model policies that will be reviewed as we discuss the most prominent policy issues currently facing the states. Click here for the complete list of the model policies.



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May 5



ALEC SPRING TASK FORCE SUMMIT  
CHARLOTTE, NORTH CAROLINA

[View 2017 Model Policies](#)

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Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

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**Book Today - Reminder**

1 message

**Laurel Buckley** <lbuckley@alec.org>

Mon, Apr 10, 2017 at 12:14 PM

Cc: "Lashutka, Megan M (Megan.Lashutka@charter.com)" &lt;Megan.Lashutka@charter.com&gt;, Louis Terhar &lt;terhar@stratpa.com&gt;

Good morning,

Just a friendly reminder to book your hotel at the ALEC Spring Task Force today. The spring meeting is **May 5 in Charlotte, NC but our hotel block will end tomorrow**, after which **rates will increase**. I see you haven't yet registered, so I wanted to remind you to do so today. You can register online here: <https://www.cvent.com/events/2017-spring-task-force-summit/registration-a29052b60acd4ee9847891eee78d14dd.aspx>

And don't forget, ALEC will cover the cost of your transportation up to \$350 and two nights in the hotel when you attend your task force. Call me if you have any questions.

I look forward to seeing you next month!

**Laurel Buckley**

Director of Development and Midwestern Relations

American Legislative Exchange Council

2900 Crystal Drive, 6th Floor

Arlington, VA 22202

C: (202) 689-9208

Email: lbuckley@alec.org

Upcoming Meetings:

2017 Spring Task Force Summit – May 5, 2017 – Charlotte, North Carolina

2017 Annual Meeting – July 19-21, 2017 – Denver, Colorado

2017 States and Nation Policy Summit – December 6-8, 2016 – Nashville, Tennessee



Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

## Sarah, Have you Reviewed the 2017 ALEC Model Policies Yet?

1 message

American Legislative Exchange Council <kjohnson@alec.org>  
To: latoursm@gmail.com

Mon, Apr 10, 2017 at 6:00 PM

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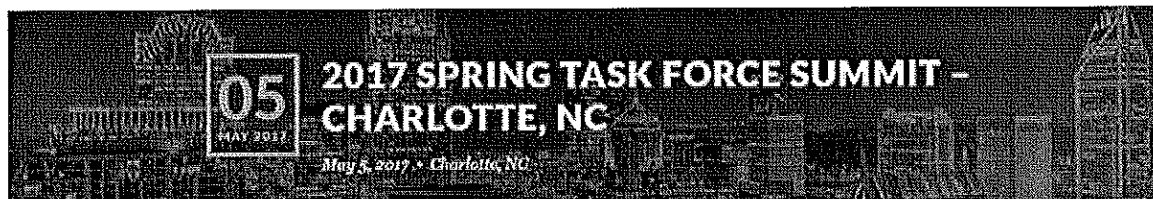


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- Energy, Environment & Ag.
- Health and Human Services
- Tax and Fiscal Policy

[Click Here for the Complete List of Model Policies](#)





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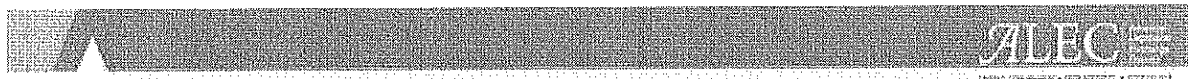
## CIT Update: Considering an Innovative Change in Transportation Infrastructure

1 message

American Legislative Exchange Council <kjohnson@alec.org>  
To: latoursm@gmail.com

Tue, Apr 11, 2017 at 12:00 PM

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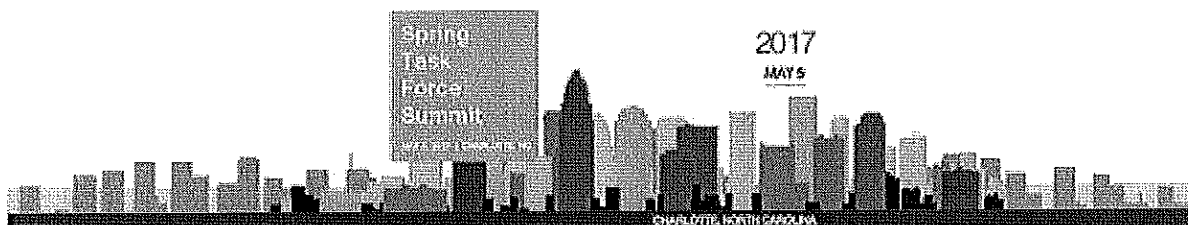
Center for Innovation and Technology



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**Special Reminder: Housing Deadline is TODAY. [Click Here](#) to Reserve Your Housing Now.**

[Click Here to Register Today](#)

### Special Invitation

#### ALEC CARE Demonstration

Come see what ALEC lawmakers consider one of the most valuable benefits of membership at the Spring Task Force Summit

Want to know what some ALEC Legislative members consider one of the most valuable benefits of membership?

Come see a constituent relationship management system that will transform the way you interact with your constituents. Better yet, it's free as a member benefit.

ALEC will host demonstrations Thursday, May 4 through Saturday, May 6 at the Spring Task Force Summit in Charlotte. RSVP to Ashley Varner.

[Reserve Your Demo Today](#)

### Considering an Innovative Change in Transportation Infrastructure

Bartlett Cleland | Infrastructure Innovation | @Maderybridge

We live in an age of unparalleled innovation, with innovation affecting all we do and how we do it. But at the forefront of innovation news, and capturing the imagination of the public, is innovation in transportation. From changes in business and industry processes like Uber, to changes in hardware for partial to fully automated vehicles, the world of the automobile is in rapid transition.

However, exciting innovation in transportation is not limited to automobiles. From broadband connectivity on airplanes, to Carnival Corporation's cruise ships featuring a new vacation management system controlled from a guest's wrist, to a freight train's ultrasonic detection analysis, these innovations highlight the exciting changes already underway across the transportation industries.

For the most part such advances rely on an underlying infrastructure—whether ports, roads or tracks built by government with the costs and risk borne by the taxpayers. More expense is anticipated as the current condition of much of the nation's infrastructure is suspect. This is why Americans, of whatever political persuasion and wherever located, broadly agree the United States needs better infrastructure to be able to capture the benefits of an innovative, advanced 21<sup>st</sup> century economy.

The American Society of Civil engineers reports the economy could lose \$4 trillion in GDP over 10 years if investments are not made. The loss to GDP only increases as infrastructure is allowed to further deteriorate. The impact on business is dramatic — loss of sales totaling \$7 trillion by 2025 and \$29.3 trillion by 2040. Families will bear the brunt of the negative economic winds. The Society projects that between 2016 and 2025 every household will lose \$3,400 because of deteriorating infrastructure. But it gets worse—2.5 million jobs will be lost in the next eight years. Regardless of the exact impact or the exact timing, sooner or later all infrastructure deemed to be necessary will need to be replaced.

This challenge has hardly been addressed much less solved. Fundamental questions remain to be answered. What is the right approach? How much should be spent on new infrastructure and how much on reconstruction? What is priority? Who should pay for it all? Given the largely wasted spending, financed by the tax payers, on illusory "shovel ready" projects during the last presidential administration these questions loom large.

Consider the benefits of some of the large capital projects being paid for with private funds rather than government largesse. The obvious benefit would be that taxpayers would not be on the hook for the huge investment or decades of maintenance. This innovative experiment could be underway in Texas so long as the Texas legislature does not interfere by passing legislation intentionally targeting the free market plan.

A company called Texas Central hopes to build, maintain and operate a high speed passenger railroad from Dallas to Houston as long as it is allowed to continue to invest in its dream. Texas has the opportunity to lead in infrastructure innovation if only it will simply allow the free market to prosper and the people of Texas to reap the gains.

To read more on this issue, please see the just released publication **"Innovation in Transportation: Private Investment in Public Infrastructure in Texas."**

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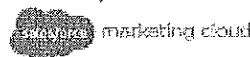


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Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

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**Sarah, Transform Your Relationship With Your Constituents. For Free**

1 message

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**American Legislative Exchange Council** <avarner@alec.org>  
To: latoursm@gmail.com

Tue, Apr 11, 2017 at 1:11 PM

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Dear Representative LaTourette,

As a legislator, you make decisions all the time that affect a lot of other people. Would you be more confident if you could poll your constituents and get real-time feedback on an ongoing basis?

**Wouldn't it be even better if that tool was free?**

I want to show you a CRM solution that will transform the way you interact with your constituents. Better yet, this program is free with your ALEC membership.

**Come see what some ALEC members consider one of the most valuable benefits we offer.**

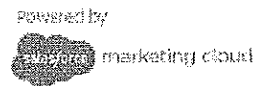
Sign up for a personal demonstration to see how it can benefit you.

I hope you will take advantage of this valuable tool,

Ashley N. Varner  
Senior Director  
C: 202-997-4857  
avarner@alec.org

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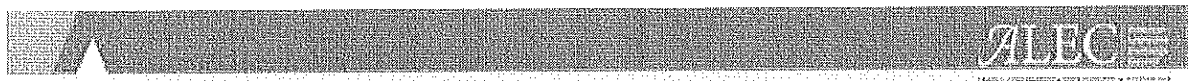
Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

**Sarah, What Does Freedom Mean to You?**

1 message

**American Legislative Exchange Council** <kjohnson@alec.org>  
To: latoursm@gmail.com

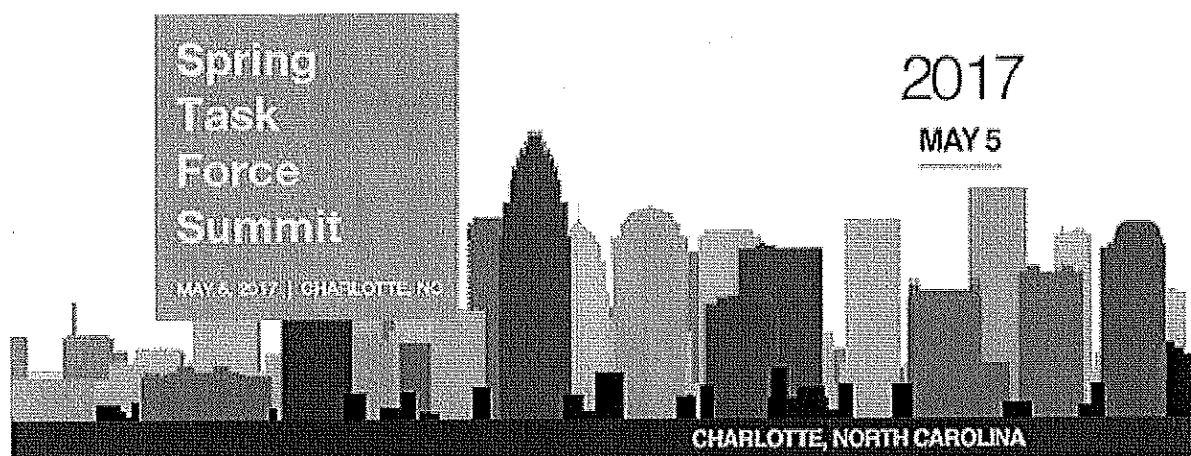
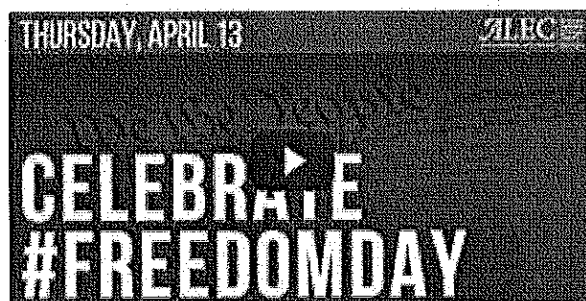
Thu, Apr 13, 2017 at 12:01 PM

[To view this email as a web page, go here.](#)**Digital Exchange - April 13, 2017**

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[Click Here to Register Now](#)**ALEC Celebrates Freedom Day**  
What Does Freedom Mean to You?

Celebrate Freedom Day with the latest video from the ALEC studio. In the spirit of Freedom Day, ALEC employees offered their personal definition of what freedom means to them. Click here to watch the latest videos.



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[Watch the Full Video](#)

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## Special Invitation

### ALEC CARE Demonstration

Come see what ALEC lawmakers consider one of the most valuable benefits of membership at the Spring Task Force Summit

ALEC exists to help you be the most effective legislator you can be. That's why ALEC members now have a powerful CRM to help you use contact information and data to gain more insight into your district -- for free.

Let us show you what some lawmakers say is the most valuable benefit of their ALEC membership. We will be giving demonstrations and setting up accounts during the **Spring Task Force Summit in Charlotte, May 4-6**.

If you sign up today at [www.gravitycrm.org](http://www.gravitycrm.org), our team will contact you to set up a personalized training.

[Sign Up Today](#)

---

## Featured ALEC Member

### ALEC - FreedomWorks Legislator of the Week

Senator Richard Alloway II | PA - 33



Senator Richard Alloway II was elected to his first term in the Pennsylvania Senate in November 2008. After winning re-election in 2012 and 2016, he is currently serving his third term representing the 33rd District, which includes all of Adams County and portions of Cumberland, Franklin and York Counties. Read the full bio.



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## Expert Insight

### Arizona Leaps into Innovative Educational Future with Universal ESAs

Inez Feltscher Stepman | Education | Empowerment Scholarship Accounts

This past Thursday, Arizona leapt ahead into the future of American education by passing a universal expansion of its Empowerment Scholarship Accounts program. The program allows all public school families to use 90 percent of the state's

7/25/2018

Gmail - Sarah, What Does Freedom Mean to You?



[Read the Full Article](#)

contribution to their children's education to custom-design an opportunity specifically for their needs. The expansion was shepherded in the Arizona Senate by ALEC Chair, Senator Debbie Lesko. [Click here to find out more.](#)



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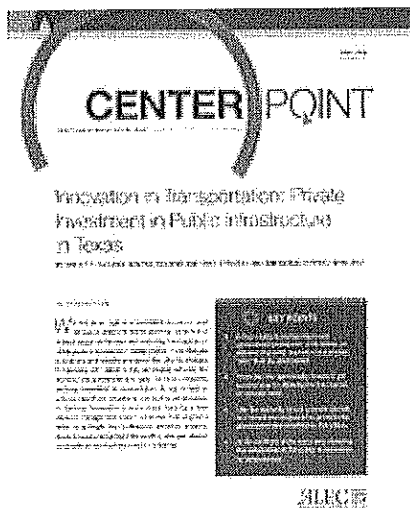
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## Featured Publication

**Innovation in Transportation: Private Investment in Public Infrastructure in Texas**  
Center Point | Bartlett Cleland | ALEC Chief of Strategy



We live in an age of unparalleled innovation, and innovation effects all we do and how we do it. From changes in business and industry processes like Uber, to changes in hardware with partial to fully automated vehicles, the world of the automobile is in rapid transition. [Click here for more.](#)



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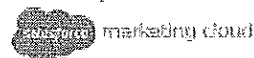


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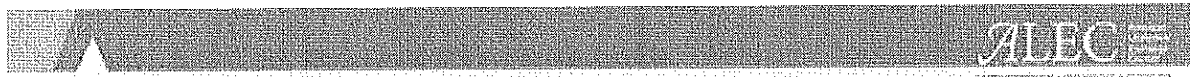
Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

## How are You Working to Protect Free Speech?

1 message

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To: latoursm@gmail.com

Tue, Apr 18, 2017 at 12:00 PM

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Center to Protect Free Speech - April 18, 2017



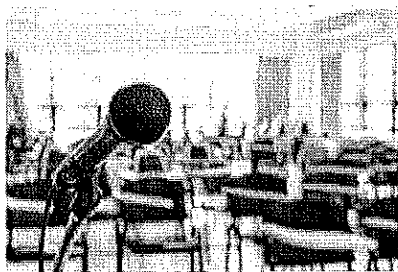
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Join the Center to Protect Free Speech

**Pitch for Free Speech Working Group**Contact: Shelby Emmett | [semmett@alec.org](mailto:semmett@alec.org) | Join Today
[Click Here Join Today](#)

**Are you passionate about Free Speech?** Are your universities ignoring the First Amendment-leading to embarrassing headlines, loss of alumni donations and even lawsuits? Is your state trying to determine the best laws and regulations for the new sharing economy? Or are people in your state telling tall tales of "dark money" destroying democracy in the political process? If so, you should consider joining the Center to Protect Free Speech Working Group.



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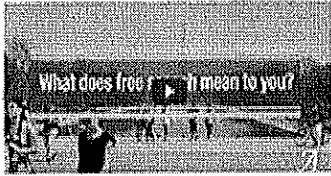


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New ALEC Videos

**What Does Free Speech Mean to You?**

Center to Protect Free Speech | A Sarah Wood Production



On Thursday, April 13th ALEC celebrated Freedom Day by polling the crowd on the National Mall on what freedom meant to them. Click here for the full video.



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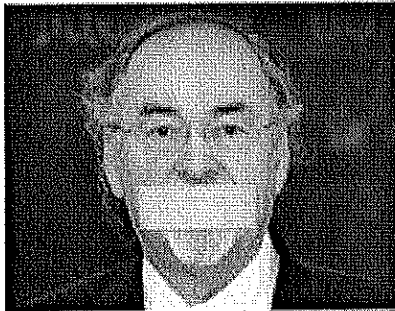
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## Expert Opinion

### Freedom of Speech is at Risk on Campuses - But Who is to Blame?

The Daily Caller | David Horowitz | President, David Horowitz Freedom Center



University officials will tell you that the restrictions were necessary to ensure public safety, but this will just be the most egregious of their self-serving lies. They will seek to validate this by invoking the February riot, which prevented Milo Yiannopoulos from speaking on campus, causing \$100,000 damage in the process. Milo is not responsible for that riot; the Berkeley Administration and the UC police are. But the UC can't be bothered with actual concerns for public safety. Click here for more.

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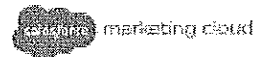


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**RELEASED: Rich States, Poor States, 10th Edition**

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To: latoursm@gmail.com

Thu, Apr 20, 2017 at 12:01 PM

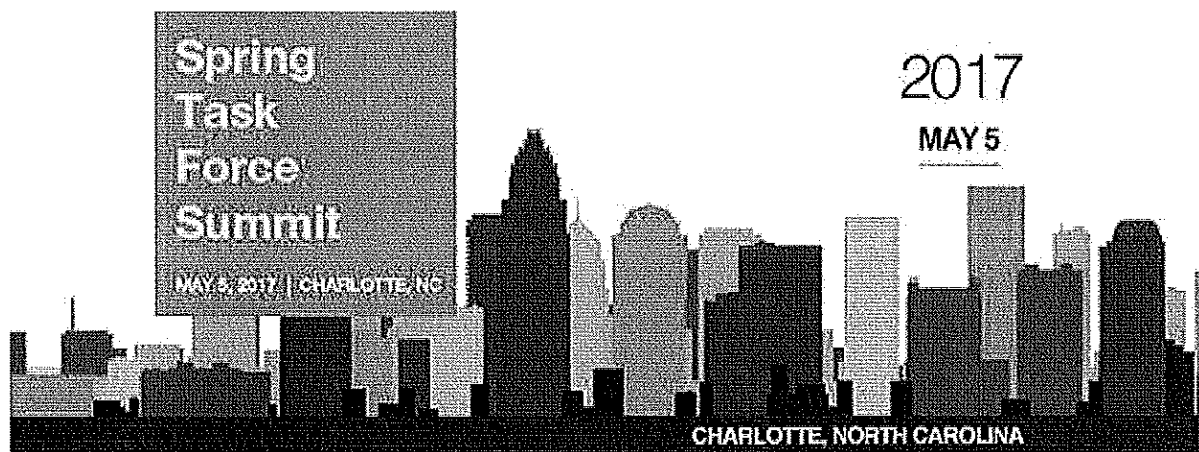
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Did you hear? ALEC Spring Task Force has a **RECORD NUMBER** of legislators attending. Join us as we discuss a number of policy issues facing Americans today. Click below for a sneak peak of 7 policies currently on the agenda.

- Vehicle Platooning for Safety and Efficiency Act
- Resolution Regarding Property-Assessed Clean Energy Programs
- The Breach of Personal Information Notification Act
- Self-Sufficiency in Medicaid Act
- Resolution in Support of Nonprofit Donor Privacy
- Forming Open and Robust University Minds (**Forum**) Act
- Principles on On-line Privacy

New ALEC Video**10th Anniversary of Rich States, Poor States Promo**[https://mail.google.com/mail/u/0/?ui=2&ik=633a3672ae&jsver=EWKsbuuUcyk.en.&cbl=gmail\\_fe\\_180716.14\\_p7&view=pt&q=labor&qs=true&search=query&th=15l](https://mail.google.com/mail/u/0/?ui=2&ik=633a3672ae&jsver=EWKsbuuUcyk.en.&cbl=gmail_fe_180716.14_p7&view=pt&q=labor&qs=true&search=query&th=15l)

## Rich States, Poor States, 10th Edition | A Sarah Wood Production


[Watch the Full Promo](#)

Tuesday, the 10th edition of *Rich States, Poor States* study was released - showing red states with better economies than blue states in 2017. Click here to find out if your state made the top ten or bottom of the list.



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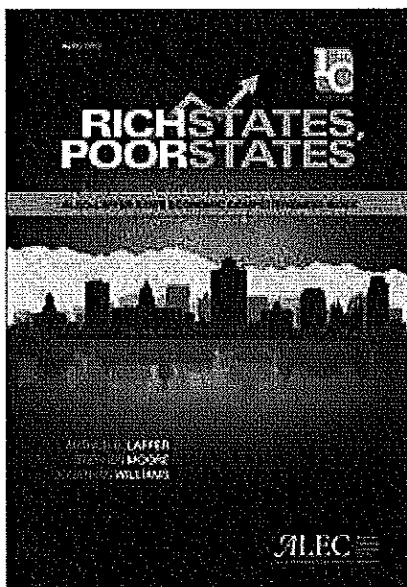


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## Featured Publication

**Rich States, Poor States, 10th Edition**

Dr. Arthur Laffer - Economist | Stephen Moore - Heritage Foundation | Jonathan Williams - ALEC Chief Economist



The 10th Edition of *Rich States, Poor States: ALEC-Laffer State Economic Competitiveness Index* reveals a pro-growth trend across the nation for 2017.

*Rich States, Poor States* examines the latest movements in state economic growth. The data ranks the 2017 economic outlook of states using fifteen equally weighted policy variables, including various tax rates, regulatory burdens and labor policies. Click here for more.



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## Featured ALEC Member

**ALEC-FreedomWorks Legislator of the Week**

Senator Andre Cushing | ME-10

Senator Andre Cushing is a native Mainer and was born in Bangor, Maine. He attended the University of Maine and studied business. Outside of his work in the legislature, Sen. Cushing has been a small business owner for forty years and currently serves as a real estate agent. Click here for the full bio.



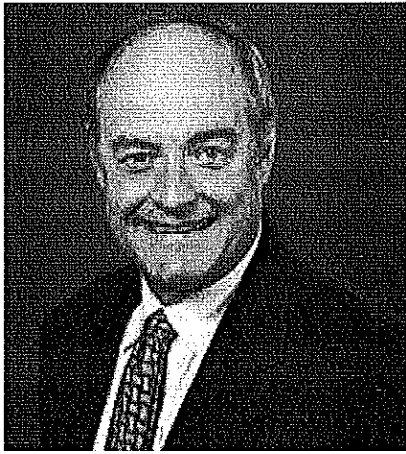
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## Expert Insight

### The Williams Report

Bob Williams | ALEC Senior Fellow | State Budgets

[Read the Full Report](#)

NEW REPORT: Released today by ALEC Senior Fellow Bob Williams - includes updates for state budgets across the country. Click here to find out what is happening with your state budget.

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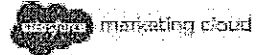
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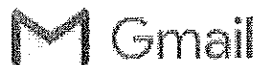
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Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

## Repeal & Replace Model Policy & ALEC Spring Task Force Summit

1 message

Mia Heck <mheck@alec.org>  
 To: Mia Heck <mheck@alec.org>

Mon, Apr 24, 2017 at 11:03 AM

Dear Health & Human Services (HHS) Task Force member,

As you may know, ALEC has been working with the Trump Administration and leadership in Congress on repeal and replace legislation for Obamacare. Because of the emphasis on federalism in this debate, it is critical ALEC legislators lead in putting forward model policy for states in navigating the return of authority over their Medicaid programs and stabilizing health insurance markets. To contribute to this monumental effort, you must register for the ALEC Sprint Task Force Summit next Friday May 5 in Charlotte TODAY. Detailed instruction on registration is listed below.

**Are you aware ALEC reimburses state legislators for travel expenses?** Legislators may take advantage of the ALEC reimbursement program to help offset your cost to attend our Spring Task Force Summit. If eligible, you can receive up to \$350 in travel reimbursement and two nights' hotel stay. Please contact Spencer Chretien at [schretien@alec.org](mailto:schretien@alec.org) for more information.

Here is an overview of what to expect at the next HHS Task Force meeting:

- Model Policy consideration of instituting a Work Requirement for the Medicaid Expansion population, as well as for states' insurance market stabilization in the event a repeal and replace bill provides funds for state-based high risk pools.
  - We are pleased to welcome *Deputy Insurance Commissioner* from Wisconsin, JP Wieske who will discuss state insurance regulations, as well as former *Special Assistant to the President for Economic Policy and National Economic Council* member under President George W. Bush Doug Badger, who will join us to discuss pros and cons between a block grant and per capita allotment from a state perspective.
  - Our lunch program will consist of an interactive exercise that will give participants a first-person perspective on being CEO of a biopharmaceutical company, including deciding when to pursue R&D and how to price a new innovative medicines.
  - The HHS Task Force will also have a robust discussion on what states' and ALEC's position is on the repeal and replace effort, and what we should put in place to have our priorities heard in Washington.
  - The HHS Task Force meeting will have programming from 10:00 a.m. through 5:00 p.m., with a reception to immediately follow.

To vote on model policy and engage in discussions on limited government, free-markets and federalism, you may register for the Spring Task Force Summit online by clicking on this link: <https://www.alec.org/meeting/2017-spring-task-force-summit-charlotte-north-carolina/>. **No time to register online? Let us help in 3 easy steps:**

1. Have your credit card on hand.
2. Call (571) 482-5155 (No answer? We're probably helping someone on the other line. Leave a message and we will call you back.)
3. Answer a few questions.

Let me know if you have any questions and I look forward to seeing you in Charlotte!

Mia

Mia Heck, MBA

Director, Health and Human Services Task Force

2900 Crystal Drive, Suite 600

Arlington, VA 22202

D 571.482.5022

M 210.284.0388



**Upcoming Meetings:**

**2017 Spring Task Force Summit – May 5, 2017 – Charlotte, North Carolina**

**2017 Annual Meeting – July 19-21, 2017 – Denver, Colorado**

**2017 States and Nation Policy Summit – December 6-8, 2016 – Nashville, Tennessee**

The American Legislative Exchange Council is a 501(c)3 nonprofit organization and is the largest nonpartisan, voluntary membership organization of state legislators in the United States dedicated to the principles of limited government, free markets and federalism. The Council is governed by state legislators who comprise the National Board of Legislators and is advised by the Private Enterprise Advisory Council, a group of private, foundation and think tank members.



Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

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**Ohio Media Clips, Tuesday, April 25**

1 message

**Gongwer News Service** <gongwerreports@gongwer-oh.com>

Tue, Apr 25, 2017 at 8:37 AM

To: sml@sarahlatourette.com

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## NEWS

Nearing 100 days, Trump says his presidency is 'different' (Associated Press, 4/25/2017)

Ohio governor, ex-GOP presidential candidate, publishes book (Associated Press, 4/25/2017)

Ohio House GOP set to unveil its tax, spending priorities (Associated Press, 4/25/2017)

We don't judge Trump the same way Washington does, Ohioans say (Cincinnati Enquirer, 4/25/2017)

ECOT case stalls recovery of millions paid to other online schools (Cleveland Plain Dealer, 4/25/2017)

John Kasich reemerges on the national stage: Ohio Politics Roundup (Cleveland Plain Dealer, 4/25/2017)

Ohio nursing homes ask lawmakers to delay Medicaid changes for long-term care patients (Cleveland Plain Dealer, 4/25/2017)

Proposed reforms could divert 3,400 offenders from Ohio's overcrowded prisons. Not everyone is on board. (Cleveland Plain Dealer, 4/25/2017)

House budget: No tax cuts or tuition freeze, more for schools, drug fight (Columbus Dispatch, 4/25/2017)



**HUD Secretary Ben Carson visiting Columbus on Wednesday (Columbus Dispatch, 4/25/2017)**

**Kasich's new book: 10 campaign secrets, 10 pithy quotes (Columbus Dispatch, 4/25/2017)**

**Kucinich emerges to blister charter school operators (Columbus Dispatch, 4/25/2017)**

**Rep. Heather Bishoff quits Ohio House, moving to California (Columbus Dispatch, 4/25/2017)**

**Signatures filed for Ohio congressional redistricting issue (Columbus Dispatch, 4/25/2017)**

**Trump election is sign of America's moral decline, Kasich writes in new book (Columbus Dispatch, 4/25/2017)**

**US transportation secretary sees crash-avoidance technology at East Liberty site (Columbus Dispatch, 4/25/2017)**

**675 Ohioans complained about mortgage servicer sued by feds (Dayton Daily News, 4/25/2017)**

**Highlights of Gov. John Kasich's CNN town hall, new book (Dayton Daily News, 4/25/2017)**

**Kasich gives Trump 'incomplete,' keeps options open for 2020 (Dayton Daily News, 4/25/2017)**

**Kucinich goes after charter schools in Dayton-area visit (Dayton Daily News, 4/25/2017)**

**Kasich's new book looks at rhetoric of presidential race (Toledo Blade, 4/25/2017)**

**Ohio labor group says workplace deaths rose (Toledo Blade, 4/25/2017)**

## **EDITORIALS**

**Their replacement gets worse (Akron Beacon Journal, 4/25/2017)**

**Talk it Out: What is John Kasich's political future? (Cleveland Plain Dealer, 4/25/2017)**

**Other viewpoints: Resist lowering charter-school standards (Columbus Dispatch, 4/25/2017)**

**Husted right to replace Hartley (Toledo Blade, 4/25/2017)**

**Ohio's charter schools get much needed reality check (Youngstown Vindicator, 4/25/2017)**

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7/23/2018

Gmail - ALEC Updates: States are Growing at the Expense of Those who Tax and Spend



Sarah La Tourette Kayser <latoursm@gmail.com>

## ALEC Updates: States are Growing at the Expense of Those who Tax and Spend

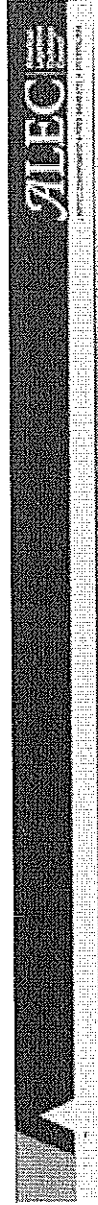
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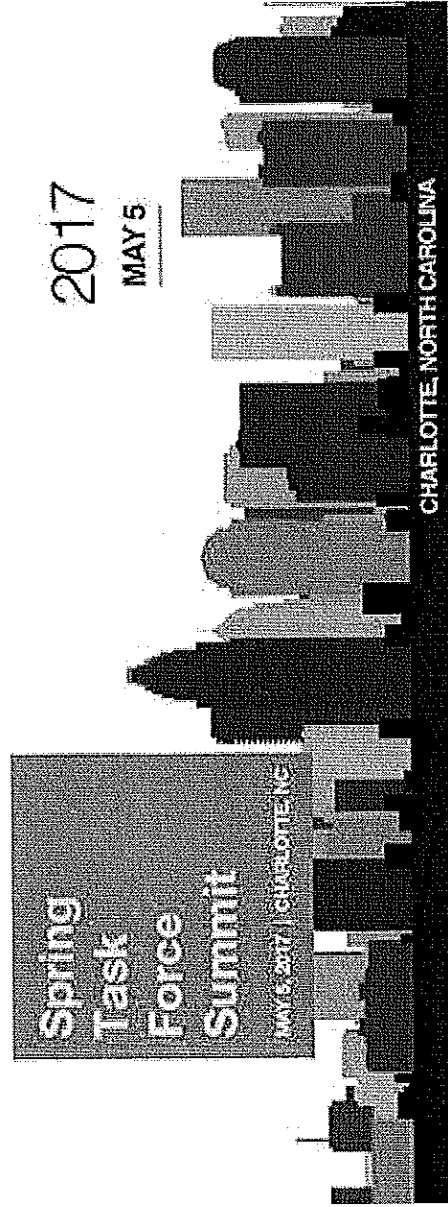
[Events & Education - April 25, 2017](#)



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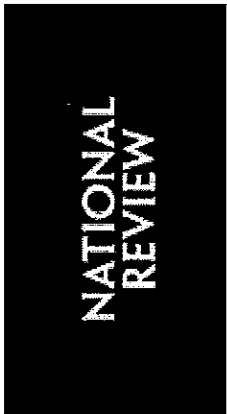


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Expert Insight

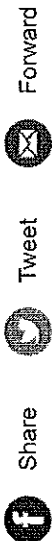
## Business-Friendly States are Growing at the Expense of Those that Tax and Spend

National Review | Jonathan Williams | Op-ed



[Read the Full Article](#)

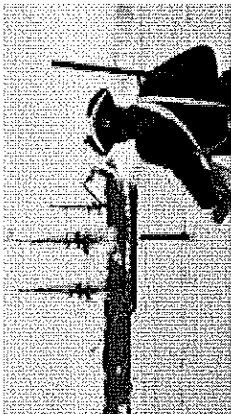
This year, several states earned their best all time rankings in *Rich States, Poor States*. After enacting right-to-work legislation and aggressively cutting tax rates, Indiana, which sat at 24th as recently as 2012, claimed the second-best economic outlook in the nation this year. Texas and New Hampshire both also saw significant improvement in the 2017 rankings, earning their best marks to date.



### Expert Insight

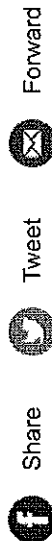
#### After 500 Years, Civil Asset Forfeiture Reform Long Overdue

The Hill | Ronald Lampard | Director, Criminal Justice Reform



[Read the Full Article](#)

Raising the burden of proof required for the government to take someone's property, increasing transparency and removing the financial incentives of the seizing agencies are various ways states have sought to increase private property protections. As seen by these efforts, reforming civil asset forfeiture after nearly 500 years is long overdue.



### Events Update

#### Health and Human Services Spring Task Force Updates

Spring Task Force Summit | Health and Human Services | Mia Heck, Director

The Health and Human Services (HHS) Task Force continues to lead in the discussion to repeal and replace Obamacare. We are pleased to announce Mr. Kyle McGowan, Director of External Affairs from the U.S. Department of Health and Human Services will be giving an update on Trump Administration efforts in the deregulatory, repeal and replace, as well as recently announced grant funding available to states in response to the opioid addiction and overdose epidemic at the Spring Task Force Summit in Charlotte.

In addition, we are pleased to welcome Deputy Insurance Commissioner from Wisconsin, JP Wieske who will discuss state insurance regulations, as well as Galen Institute Senior Fellow Mr. Doug Badger to discuss pros and

cons between a block grant and per capita allotment from a state perspective.

We look forward to your participation in these important policy discussions!

### Center for Innovation and Technology Reception

May 4 | Center for Innovation and Technology

Getting to Charlotte early on Thursday, May 4? Check-in at the registration desk and join the reception for our Center for Innovation and Technology from 4:30 PM to 6:00 PM.

### North Carolina Welcome Reception

May 5 | Spring Task Force Summit

Join us after a day of meetings to network with attendees at the North Carolina Welcome Reception. Be sure to grab a bite of that famous North Carolina pulled pork! Bring your badge and join us from 5:00 PM to 6:00 PM.

[More on the Agenda](#)

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## OHIO REPORT TUESDAY, APRIL 25

**House Puts First Stamp On Biennial Budget, Strips Out Kasich Tax Shifting Plans**

**House Adds Medicaid Work Requirements, Removes Long-Term Care Changes In Budget Sub Bill**

**Budget Sub Bill Includes Money For Drug Crisis, Revamped Board Consolidation**

**Most Responses To Budget Welcome Tax Plan Removal; Other Reactions Vary**

**Rosenberger Still Hopeful Unemployment Overhaul Will Make It Into Budget; House Passes Election Bill**

**FirstEnergy CEO, Proponents Urge Support For Zero-Emission Credits Bill**

**Committee Hears First Testimony On 'Duty To Notify' Provision, Other Gun Bills**

**House Panel Reports Bill Exempting Optical Aids From Taxes, Tables Democratic Amendments**

**Lawmakers Leery Of Bill Aimed At Boosting Competition For State-Funded Water Projects**

## **Governor's Appointments**

### **Supplemental Agency Calendar**

### **Supplemental Event Planner**

### **Senate Committee Hearings**

**Finance**

**Education**

**Finance: General Government & Agency Review Sub.**

**Finance: Primary & Secondary Education Sub.**

**Finance: Health & Medicaid Sub.**

### **House Committee Hearings**

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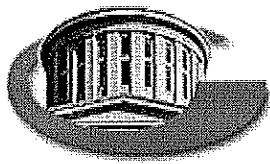


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# GONGWER Ohio

The Record of Capitol Square Since 1906

Volume #86, Report #79 -- Tuesday, April 25, 2017

## House Puts First Stamp On Biennial Budget, Strips Out Kasich Tax Shifting Plans

The removal of Gov. John Kasich's ambitious tax code changes, additional money for schools and the opioid crisis, and cuts to Medicaid spending levels proposed by the administration were among dozens of changes made Tuesday to the Fiscal Year 2018-2019 state budget plan.

While adding a raft of policy amendments (House GOP Synopsis) to the measure (HB 49), House GOP leaders said they cut all-funds spending by roughly \$2.5 billion over the biennium, mostly by adjustments to the Medicaid entitlement as proposed by the governor.

Despite warnings from the Office of Budget and Management that revenue estimates would likely be reduced by \$400 million a year before the budget was finalized, the House stuck with the agency's original projections in crafting the substitute version of the bill. Nevertheless, House officials said they still reduced state-only General Revenue Fund spending by \$363 million, getting the plan near the halfway to the point OBM expects it to land should those latest numbers hold up at the end of June. (Updated Legislative Service Commission spreadsheet)

Speaker Cliff Rosenberger (R-Clarksville) said the reductions from the governor's budget are designed to ensure the state is on firm footing amid a slowing economy.

"These budget adjustments, I believe, put Ohio in a very strong position in the case of a recession and in the case of anything that may happen in the future," he said at a Statehouse news conference held before the Finance Committee meeting.

Finance Chairman Rep. Ryan Smith (R-Bidwell) said the plan includes 1.5% across-the-board cuts in certain line items, with some essential spending areas maintained, along with targeted reductions in certain areas.

Rep. Smith said the budget includes reduced spending of about \$1 billion in Fiscal Year 2018 and \$1.5 billion in FY 2019.

The budget scraps nearly all of the tax changes proposed by Gov. Kasich, though it does reduce the number of income tax brackets from nine to seven. It also removes planned increases in the sales tax for cigarettes, other tobacco products, and other "tax shifting" proposed by Mr. Kasich as part of an overall plan to reduce income taxes.

On the Medicaid front, the budget proposal includes work requirements for certain members of the Group VIII, or expansion, population. Exemptions would exist for those who are employed, are 55 or older, are medically fragile, are in a recovery program, or are enrolled in an education or workforce program. (*See separate story*)

The sub bill appropriates \$170.6 million to target the opioid crisis. It includes \$9 million for workforce, including SNAP workforce and training funding, \$12.2 million for prevention, \$19.4 for mental health, including drug court and drug lab reports, and \$130 million for treatment, including support for kinship caregivers. (*See separate story*)

"I don't know what the right number is, but in a challenging budget we made a huge investment in this area," Rep. Smith said.

The bill also proposes an increase in \$80 million over the biennium in K-12 education. The core school funding formula will remain similar to how it was in the governor's version, with some changes.

Meanwhile, the House scrapped plans for minor increases to higher education and the Ohio College Opportunity Grant program.

Other changes in the sub bill include language that ([LSC Comparison Document](#)):

- Adjusts the Current Agricultural Use Value calculation and phases in the changes over six years.
- Enacts a new banking law.
- Permits the Ohio Consumers' Counsel to operate a call center.
- Limits appropriation increases the Controlling Board can authorize to no more than 10% of a line's total appropriation or \$10 million.
- Requires Controlling Board approval for state government entity advertising purchases for the same purposes that in the aggregate exceed \$50,000.
- Provides some flexibility for counties under the administration's plans to divert low-level offenders from prisons to local confinement.
- Requires anti-trust matters for boards and commissions to be overseen by the Common Sense Initiative and provides for a significantly more limited version of the consolidation plan proposed by the governor.
- Authorizes credit unions to participate in state linked deposit programs.
- Revises fees for county recorder charges.
- Prohibits the Department of Medicaid from increasing provider rates or rolling new populations into managed care without approval of the Joint Medicaid Oversight Committee and returns Medicaid eligibility determination to the General Assembly.
- Grants the authority to hire and fire the Joint Medicaid Oversight Committee director and Joint Education Oversight Committee director to the House Speaker and Senate President.
- Limits total Medicaid spending on hospitals to \$7 billion a year.
- Authorizes Ohio to enter into a multi-state health care compact.
- Allows for cashless lottery sales but limits them to debit cards and bans credit card usage for ticket purchases.
- Expands video poker to racinos.
- Mandates the Chancellor study the College Credit Plus program.
- Directs trustees rather than IHEs to review and update tenure policies.
- Reduces the number of sick days for university employees from 15 to 10.
- Abolishes the State Board of Career Colleges and Schools and transfers the duties to the Department of Higher Education.
- Retains the Manufactured Homes Commission.

- Requires the Department of Administrative Services to offer a high deductible health plan with a Health Savings account option.
- Abolishes the Board of Sanitarian Registration and transfers duties to the Department of Health.
- Transfers security duties for the Riffe Center from DAS to the State Highway Patrol.
- Reimburses mileage for General Assembly members for a session outside of the seat of government.
- Maintains current law regarding veteran preferences for state hiring.
- Eliminates the Constitutional Modernization Commission on July 1.
- Scrap the centralized collection of municipal taxes and makes related adjustments to the Ohio Business Gateway. (See Gongwer Ohio Report, April 21, 2017)
- Reduces the Commercial Activity Tax administrative earmark to the Department of Taxation to 0.75%.
- Exempts prescription eyewear from the sales tax starting in FY 2020.
- Exempts legislative projects from DAS construction and renovation procedures.
- Clarifies that public officials are allowed to accept registration fees, travel expenses and meals during a meeting or convention of national, state and regional groups to which a government body pays dues.
- Requires health plans to cover telemedicine the same was as in-person services.
- Provides for 90-day early release for non-violent and non-sex offenders that get a HS diploma or equivalent.
- Requires Parole Authority to notify a county sheriff two weeks before a felon's release.
- Replaces pilot program for truck registration in HB 26 with a new fee schedule.
- Allows Stark County to increase its lodging tax up to 3%.

Rep. Smith said the Finance Committee will meet every day this week to accept testimony on the sub bill, with the deadline for amendments to be included in the omnibus amendment set for Friday. He said he intends to have the committee accept the omnibus amendment Monday and vote the bill out of committee.

"This is a step in a very long process," he said.

Democrats on the Finance Committee did not object to the acceptance of the sub bill, but Ranking Member Rep. Jack Cera (D-Bellaire) said that while his caucus supports some of the changes, it has concerns with others.

"We have questions on a variety of items and we hope to have vigorous debate over the next few days," he said.

#### House Adds Medicaid Work Requirements, Removes Long-Term Care Changes In Budget Sub Bill

A proposal in the House version of the biennial budget bill (HB 49) would require certain Medicaid beneficiaries to have employment.

The plan, included in the substitute version House leaders rolled out Tuesday (*see separate story*) would require that people in the Group VIII, or expansion, population either be employed, be 55 or older, medically fragile, in a recovery program or enrolled in an education or workforce program.

The House version also retains a provision offered by the Kasich administration to levy premiums on certain Medicaid enrollees who make more than 100% of the poverty level. (See [Gongwer Ohio Report, January 30, 2017](#))

The sub bill includes a host of other changes on issues related to Medicaid. Those alterations were among revisions that the House expects will reduce the overall cost of the as-introduced bill by \$2.5 billion over the biennium. In the Department of Medicaid alone the House version of the budget is expected to spend \$1 billion less over the biennium than the version as introduced.

It would move the planned implementation of the behavioral health redesign back six months, pushing the use of new payment rates to Jan. 1, 2018, and the carve-in to managed care to July 1, 2018.

The House also pushed back a proposal to fold Medicaid long-term services and supports into managed care to 2021 at the earliest, and would require that a study committee review the issues and report by June 30, 2020. (See [Gongwer Ohio Report, March 24, 2017](#))

The House version also eliminates proposed new waivers for individuals with disabilities, and eliminates proposed rate increases for providers. It would limit Medicaid spending on hospitals to a total of \$7 billion per year.

Language that would require hospitals to contract with managed care plans, cited as a concern by hospitals who said it would cost them leverage in negotiations, was also removed from the bill. (See [Gongwer Ohio Report, March 22, 2017](#))

The sub bill also states the House's intent that the state would create a program similar to the Healthy Ohio proposal in the last budget if the federal government makes Medicaid a block grant. (See [Gongwer Ohio Report, September 19, 2016](#))

As previously announced by the House leadership, the governor's plan to move the Children with Medical Handicaps program into Medicaid was removed, and BCMH will be funded at \$3 million per year. (See [Gongwer Ohio Report, April 11, 2017](#))

One issue that was not addressed in the sub bill is the planned replacement of the sales tax on Medicaid managed care organizations. House Finance Committee Chairman [Rep. Ryan Smith](#) (R-Bidwell) said parties are still working on a potential compromise to alleviate some concerns. Counties and local transit authorities, which would no longer be able to levy a piggyback tax, have voiced concerns with the proposed replacement plan.

"We haven't landed on a plan that we feel like we're comfortable with yet," Rep. Smith said in an interview. "It's early in the discussion on that. It's big policy and we just haven't gotten there yet. The door's not closed on the conversation; we're just not there yet."

The chairman said it's unlikely a plan for that is in place before next week's omnibus amendment.

#### Budget Sub Bill Includes Money For Drug Crisis, Revamped Board Consolidation

A highlight for House Republican leaders in the rollout of their substitute version of the budget bill ([HB 49](#)) Tuesday was the addition of more than \$170 million for initiatives designed to combat Ohio's drug epidemic.

Part of the House's HOPES agenda, for Heroin, Opioid Prevention, Education and Safety, the money targets prevention, treatment, mental health and workforce.

House leaders also unveiled their version of [Gov. John Kasich's](#) proposed licensing board consolidation, which now includes fewer board mergers.

[Speaker Cliff Rosenberger](#) (R-Clarksville) and House Finance Committee Chairman [Rep. Ryan Smith](#) (R-Bidwell) touted the infusion of money to the drug problem, saying it attacks the issue from several directions.

"It's an all-hands-on-deck call," Rep. Smith said at a Statehouse news conference. "Everyone needs to be part of the solution in helping solve this problem."

The \$12.2 million dedicated to prevention includes money for community coalitions and investments in technology and innovation. It includes the creation of websites in every county and a public awareness campaign that includes an app to connect people to local services.

Included in the \$130 million allocated for treatment is a \$30 million increase over the biennium for child protective services, a \$10 million allotment of federal TANF dollars for child care for kinship families, a \$24 million distribution to ADAMHS boards for treatment, \$20 million in capital to expand treatment facilities or build new and a pilot program to turn nursing beds into treatment beds.

On the mental health side, the \$19.4 million includes \$6 million per year for mental health stabilization centers, and a mandate that insurance companies cover telemedicine, which can help provide services in underserved and rural areas.

The workforce provisions include \$2 million per year in SNAP workforce and training funding.

"It's a multifaceted problem and it's a multifaceted, comprehensive approach," Rep. Smith said. "I recognize that this is one step in the process. This conversation's going to continue for a long time."

The state spending will help, Speaker Rosenberger said, but the end result of the efforts to fight the epidemic will come down to the work in communities.

"I think ultimately these things make a huge impact," he said. "But no dollar amount, in my opinion, really equates to the amount of help we can do for each other."

**Board Consolidation:** The House version keeps a few elements of the governor's licensing board consolidation proposal, but makes some changes.

It moves the antitrust review from the Department of Administrative Services to the Common Sense Initiative. It consolidates the Optometry and Optical Dispensers boards into the Vision Professionals Board, and the Speech Language Pathology and Audiology and Hearing Aid Dealers and Fitters boards to the Hearing Professionals Board.

It also eliminates the requirement that orthotics, prosthetics and pedorthics professionals be licensed and dissolves that board.

While that plan doesn't go as far toward consolidation as the governor's proposal, House Republicans said it will meet the goal of having an independent review of anticompetitive activity and consolidate some boards, allowing them to cross-train staff.

"We're happy to meet him, I think, halfway or more than halfway in this important venture," Rep. Bill Seitz (R-Cincinnati) said.

The plan is not expected to save State General Revenue Fund money, as the boards are funded solely by license fees, he said.

The House also preserved the Manufactured Homes Commission as an independent entity, and the executive proposal to combine the State Board of Cosmetology and the Barber Board.

The Board of Sanitarian Registration would be abolished and moved to the Department of Health.

Most Responses To Budget Welcome Tax Plan Removal; Other Reactions Vary

Reactions to the House's extensive budget bill changes Tuesday largely focused on the tax components but otherwise ran the gamut depending on the interest group.

Emmalee Kalmbach, spokeswoman for Gov. John Kasich, said the administration was still analyzing the details of the changes but welcomed the focus on spending restraint.

"Balancing our budget and restraining spending are essential to fostering a jobs-friendly climate and continuing Ohio's economic recovery. Speaker Rosenberger and his colleagues in the House understand that and it's reflected in the ideas they offered today," she said.

"We look forward to taking a closer look at the details, sharing whatever feedback we may have and then eventually moving forward to the Senate where President Obhof has a similar commitment to conservative budgeting. Together we will protect Ohio's hard-won budget health and keep our state moving forward."

The Public Children Services Association of Ohio applauded plans to allocate an additional \$15 million per year in Child Protection Services as part of the overall plan to address the opioid addiction crisis.

"Ohio's opiate epidemic is challenging the county children services agencies to provide essential services to our vulnerable children - the innocent victims. We have 1,400 additional children in foster care than just 6 years ago who have very complex, costly needs. We are challenged with having enough foster parents to care for these children and unable to provide adequate supports to their kinship families," PCSAO Executive Director Angela Sausser said.

The proposal would mark the first increase in state funding for county children services in over a decade, she said. The line item was cut by 21% in 2009 and has remained flat funded at around \$45 million per year since.

"We are hopeful that the Senate will maintain this new investment and consider additional funding for children services to address this growing epidemic," Ms. Sausser said.

K-12 education interests, while appreciative of the House's overall increases, continued to raise concerns with the plan.

The Ohio School Boards Association, Buckeye Association of School Administrators and Ohio Association of School Business Officials said in a joint statement that the House "has done the best it could with the executive budget it was given."

"We remain concerned about the losses many school districts and educational service centers will experience compared to funding they received in the last budget. We continue to be concerned about using the State Share Index to determine how much state funding schools receive, as well as the significant loss of tangible personal property tax payments some districts are experiencing," the groups stated. "Also, we had hoped to see more money for transportation. School district buses drive 158 million miles each year, the cost of which draws away classroom funding, especially in low-wealth rural school districts."

"This budget continues to shortchange students in districts that lack the capacity to address the challenges posed by poverty. Year after year, data clearly show that students' educational attainment in districts with high concentrations of poverty perform starkly below their counterparts in more affluent districts."

Ohio Education Association President Becky Higgins said her group appreciated the additional education funding given the tight revenue situation, "and we are glad the House listened to the voices of educators and removed the unnecessary and unworkable teacher 'externship' proposal."

"We look forward to continuing to work with members of the House and Senate to ensure equitable and adequate funding for all students, no matter their zip code or family income," she added. "We also encourage the House and Senate to address Ohio's looming graduation crisis by incorporating the recommendations of the Graduation Requirements Work Group and State Board of Education in the budget."

Jack Hershey, president and CEO of the Ohio Association of Community Colleges, thanked the House for removing the controversial textbook provisions from the bill and the inclusion of funding for a certificate attainment program.

"The House-substitute version of HB49 recognizes that community colleges do not have an affordability problem; rather, the budget provides our colleges with the resources to implement reforms aimed at improving student outcomes to help our students move directly into the thousands of middle-skills jobs currently waiting for them at Ohio employers," he stated.

"By funding short-term certificate programs tied to in-demand fields, the House recognized the value that these short-term training programs have in providing an immediate boost to Ohio employers who are desperately looking for employees in these fields to grow their businesses."

"The House showed in this budget that they want community colleges to move quickly to help more Ohioans move through our classrooms and laboratories into to the workplace. Ohio's community colleges stand ready to accept their challenge," Mr. Hershey added.

Policy Matters Ohio Research Director Zach Schiller said the House version has positives, such as the "support for opioid treatment, children's services and certain other human services, along with modest additions to K-12 spending." He also praises the elimination of the income tax cut and sales tax hikes, and the inclusion of \$2 million to support employment and training programs for people eligible for food assistance and "improvements in how Ohio regulates for-profit career colleges."

"However, the House Republican plan also contains some significant negatives, such as seeking federal approval for work requirements for many of the 700,000 Ohioans who benefitted from Medicaid expansion. Modest spending additions the governor had proposed for higher education and need-based financial aid for students were eliminated," he said.

Ohio Farmers Union President Joe Logan welcomed the CAUV language in the measure as well as the elimination of tax cuts.

"Fixing the broken Current Agricultural Use Value formula remains our number one issue at the state level," he said, while adding: "We're reserving final judgement on the House's proposal until we see the actual bill."

Regarding the tax policy changes, Mr. Logan said the House "deserves praise for the independence of mind that allowed them to break out of the economic straight jacket that continued income tax cuts impose.

The Home Matters to Ohio campaign lauded changes that included an expansion of the Ohio Housing Trust Fund.

"Today the Ohio House stepped up to the plate to provide additional resources for housing homeless veterans, seniors on fixed incomes, and Ohioans with disabilities. We are grateful to House leaders for recognizing the value of the Ohio Housing Trust Fund and for working to strengthen it by modifying recording fees in the new budget bill," said Bill Faith, executive director of the Coalition on Homelessness and Housing in Ohio. "House leaders called for all-hands-on-deck to fight Ohio's opiate crisis and we're proud to be part of the solution."

American Petroleum Institute Ohio Executive Director Chris Zeigler welcomed the Ohio House Finance Committee's decision to remove the proposed severance tax increase.

"The committee's decision recognizes that our industry is an important part of the solution for advancing Ohio's economic and employment goals," he said. "Pro-growth tax policy and smart, science-based regulations will ensure that the state's oil and natural gas industry continues to provide benefits for Ohio's economy, consumers, workers and our environment.

Gavin DeVore Leonard, state director of One Ohio Now, expressed support for the moves to strip the tax provisions and bolster the drug epidemic fight.

"With growing questions about the effectiveness of income tax cuts and revenue shortfalls, this signals an opportunity to begin a new conversation about tax policy," he said. "We also applaud the 'all hands on deck' approach to addressing the opiate epidemic. Targeted investments like these can provide hope, save lives, and strengthen communities."

Jeff Stephens, director of government relations in Ohio for the American Cancer Society Cancer Action Network, said he was disappointed the House didn't increase taxes that could "reduce the terrible toll of tobacco use" in the state. "Increasing the cigarette tax by \$1.00 per pack would raise a much needed additional \$313 million per year, and most importantly stimulate an 11% reduction in the youth smoking rate," he said. "Fifty years of evidence also indicates that matching the other tobacco products tax to the cigarette tax level and restoring tobacco cessation and prevention funding to levels from the mid-2000s, would deter our youth from initiating a lifetime of addiction to tobacco products."

**Lawmakers React:** Speaker Cliff Rosenberger (R-Clarksville) and Finance Chairman Rep. Ryan Smith continued to comment on the changes following House session Tuesday, when they fielded questions from reporters.

On allowing video poker terminals at racinos, which the Legislative Service Commission estimates would boost annual profits to education by \$12.5 million a year, Rep. Smith said: "This isn't about balancing the budget. This is about funding schools."

Rep. Smith said of a provision eliminating a physician's statement requirement for medical marijuana that the Ohio State Medical Association "had concerns that it was a requirement for physicians to weigh in when they didn't necessarily feel like they had to. It's more permissive."

The bill also speeds up the sunset of the Ohio Constitutional Modernization Commission to July 1.

"I think that at this juncture, it's run its course and now it's time to just move on," Speaker Rosenberger said.

Outgoing Minority Leader Joe Schiavoni (D-Boardman) said, "I have said for months that tax cuts should not be a priority when our schools are not adequately funded and our state is facing the worst public health crisis in decades. It appears the House has listened to the cries of their constituents and their communities. But the heroin epidemic is not going to be fixed overnight," he said. "We must keep Medicaid expansion and continue increasing investment in our state's treatment infrastructure in order to make any long-term progress."

"While I appreciate some positive changes that my colleagues in the House made to Governor Kasich's budget, there are still troubling aspects," the lawmaker added. "I oppose any efforts to quietly slip in major changes to charter school sponsor evaluations. We should be strengthening accountability in charter schools - not weakening them."

Rep. John Boccieri (D-Alliance) questioned the inclusion of language regarding probate court authority over park districts.

"The fact that the majority included this amendment in the sub bill to me shows us that Columbus is intent on quelling dissent," he said in a statement. "Allowing a probate judge to fine or impose penalties on community members who voice concerns about park board decisions weakens our democracy."

Rep. Niraj Antani (R-Miamisburg) stated, "I'm proud of the fiscally conservative budget the House introduced today, which gets rid of dangerous tax increases included in the original version."

"This budget will continue Ohio on a stable path to prosperity, including providing more funding to our schools and to fight the heroin epidemic," he added.



Sen. Sean O'Brien (D-Hubbard) said, "The budget version that was delivered to the House today for consideration does some very good things for my district and the greater state of Ohio, but it is still going to require a lot of work here in the Senate."

"While I was happy to see more funding to fight the scourge of opioid drug addiction, as well as an increase in funding for most of the schools in my district, I'm concerned about cuts to Medicaid that are still included," he said.

### Rosenberger Still Hopeful Unemployment Overhaul Will Make It Into Budget; House Passes Election Bill

House Speaker Cliff Rosenberger said he is still hopeful that an overhaul of the unemployment compensation system will be included in the state's two-year spending outline.

Speaking to reporters following Tuesday's session, the Clarksville Republican said business and labor leaders continue to work with an actuary to reach a compromise on the issue that stalled during the last legislative session.

"It's going behind a little more than I'd like it to," he said.

While not included in the substitute version of the state's budget (HB 49) adopted in the House Finance Committee Tuesday (*See separate story*), the speaker still believes it can become part of the final version of the bill that is sent to Gov. John Kasich near the end of June.

"We'll probably drop a stand-alone bill and allow some process to happen with the hope that we get something done by conference committee," he said.

Also absent from the budget is a change in the way in which congressional districts are redrawn every ten years.

While Speaker Rosenberger said discussions on the issue are still taking place, he did not speculate when a resolution might come about.

"We've got people still talking and crafting and looking through language," he said, adding that House members have been working with their counterparts in the Senate and administration.

On Monday, three non-profit groups filed initial signatures to place a measure addressing the issue on the ballot.

**Floor Action:** In a full session Tuesday the House approved legislation (HB 18) to end the requirement that the state hold a special primary election to replace a party's candidate for congress if the special primary is uncontested. The bill passed in an 84-0 vote.

The need for the legislation arose last year when the state was forced to hold a special primary election after a candidate withdrew from the 8<sup>th</sup> Congressional District race 107 days before the election.

The special election cost more than \$340,000, sponsoring Rep. Dorothy Pelanda (R-Marysville) said. She called the measure "common sense legislation."

The House also unanimously approved a bill (HB 94) to designate February as "Teen Dating Violence Awareness Month."

Sponsoring Rep. Emilia Sykes (D-Akron) said one in three adolescents across the country is a victim of physical, sexual, emotional or verbal abuse from a dating partner.

"This bill in particular is important because safe relationships for youth are created when communities work together to eliminate violence while also educating our youth on signs of harmful relationships," she said.

Rep. Rick Perales (R-Beavercreek) told his colleagues that "the harsh reality is teen dating violence is so common, that among high school teens who date, 21% of females and 10% of males experience some form of partner violence."

The House also unanimously approved a measure (HB 45) to designate May as "Neurofibromatosis Awareness Month."

Rep. Robert Sprague (R-Findlay) said he introduced the measure to honor a boy in his district fighting the disease.

Rep. Nickie Antonio (D-Lakewood) also spoke in favor of the bill, telling her colleagues, "It's very important that we acknowledge their fight and hopefully continue research for this disease."

### FirstEnergy CEO, Proponents Urge Support For Zero-Emission Credits Bill

FirstEnergy President and CEO Chuck Jones told lawmakers Tuesday that a bill to create zero-emission credits for the company's nuclear power plants is not a bailout or an attempt to undermine natural gas generation.

Rather, the bill (HB 178) is an effort to shore up struggling plants, thereby saving thousands of direct and indirect Ohio jobs, Mr. Jones said in a rare appearance before the House Public Utilities Committee.

"By helping to appropriately value Ohio's nuclear plants, ZEN will assure they continue to support well-paying jobs, economic growth, environmental progress and, of course, reliable and affordable electricity," Mr. Jones said.

But opponents who will testify in the coming weeks are unlikely to be swayed by proponent arguments. In a statement timed with the bill's first informal hearing, opponent American Petroleum Institute Ohio argued the bill would tip the scales away from more competitive natural gas plants.

"Instead of subsidizing nuclear power companies, we should let the markets work to protect consumers," Executive Director Chris Zeigler said. "Moving forward, Ohio state legislators should protect Ohioans by rejecting this misguided legislation."

The bill (HB 178) and its Senate companion (SB 128) would establish the Zero Emission Nuclear Resource Program, which would create the credits to be priced by the Public Utilities Commission of Ohio and purchased by distribution utilities with nuclear plants. The program is based on similar programs in Illinois and New York that are already at the center of lawsuits. (See Gongwer Ohio Report, April 12, 2017)

Mr. Jones' personal appearance before the panel is a signal of how important the legislation is to the Akron-based company. Although no stranger to lawmakers, Mr. Jones, like other utility CEOs, typically leaves the committee testimony to others.

Mr. Jones promised lawmakers that if passed, the Ohio bill would undoubtedly be challenged in court. But he said it's necessary to secure the future of the Davis-Besse and Perry plants and their economic footprints.

Still, he told the panel he could not guarantee the plants would not close even if the bill became law.

"What I can tell you is the future of these assets is more certain with this legislation," Mr. Jones said.

Rep. Kent Smith (D-Euclid) questioned Mr. Jones on previous remarks in which he told stakeholders the company is planning to sell or close the plants by mid-2018. (See Gongwer Ohio Report, February 24, 2017)

"Are you going to sell these plants and is the ZEN legislation just going to drive up your asking price?" Rep. Smith asked.

Mr. Jones said he doubts the legislation would raise the plants' value above the level at which the company could make a profitable sale.

"I couldn't sell them if I wanted to and there's nobody knocking on my door to buy them," Mr. Jones said. "I'm just being honest with you. I don't think you should base this decision on whether FirstEnergy owns these or not. You should base it on these are critical assets for the future of the state."

Rep. Mark Romanchuk (R-Mansfield) read an excerpt from previous testimony from FirstEnergy on an unrelated bill in which the company said it was "concerned about any effort to subsidize certain generating facilities."

Given that FirstEnergy is now asking for its own subsidy, Rep. Romanchuk asked what has changed.

"I do not view this as a subsidy," Mr. Jones replied. "I view this as a decision the state of Ohio has to make on whether they want to pay the plants for the economic benefits they bring, for the environmental benefits they bring."

Chairman Rep. Bill Seitz (R-Cincinnati) said in an interview that committee discussion on the bill won't kick into high gear until after the House votes on the budget. That vote is expected to occur May 3.

"After the budget vote, which will be next Wednesday, we'll have to reconnoiter and they want further proponent testimony," Rep. Seitz said. "What we will likely do is give perhaps proponents and opponents a chance to speak. I have a feeling there will be a large number of opponents."

Also testifying in support of the bill were the Affiliated Construction Trades Ohio Foundation, Perry Township, the Benton-Carroll-Salem School District, and the Regional Growth Partnership of Northwest Ohio.

Vermont Selectboard Chairman Josh Unruh also testified, describing the impact the closure of a Vernon, Vt., nuclear plant had on his community.

#### Committee Hears First Testimony On 'Duty To Notify' Provision, Other Gun Bills

A House panel on Tuesday took up several pieces legislation that would revise Ohio's gun laws.

The House Federalism & Interstate Relations Committee held first hearings on four gun-related bills - one offered by Republicans and three brought forth by Democrats.

The GOP-sponsored bill (HB 142) removes the "duty to notify" provision from the state's concealed carry law.

Under current law, concealed handgun licensees who are carrying a weapon or have one ready at hand must promptly notify law enforcement when stopped.

"This language is vague, arbitrarily enforced and takes the control of the dialogue away from a law enforcement officer and gives it to the subject of a law enforcement encounter," sponsoring Rep. Scott Wiggam (R-Wooster) said.

He also said the duty to notify clause is "discriminately and arbitrarily enforced."

Rep. Wiggam also issued a rebuttal to opponents of the measure who are likely to argue the bill will put law enforcement officers in danger.

"Opponents of the Second Amendment and those who seek to limit the ability of private citizens to carry firearms continually mention officer safety during this conversation. Every single one of us in this room care deeply about the men and women who have devoted their lives to protecting our communities from those who seek to break our laws and do us harm," he said.

"I cannot thank these public servants enough for their service to our great state. With this in mind, we must not allow their bravery to be used as a pawn by others to stir up passion to cloud the logic of law."

Asked by Rep. Adam Miller (D-Columbus) if he has spoken with law enforcement organizations, namely the Fraternal Order of Police of Ohio, about the issue, Rep. Wiggam said he has made several groups aware of the legislation and talks are ongoing.

Rep. Wiggam also said Ohio is in the minority of states with its notification provision.

Rep. John Becker (R-Union Twp.) called the notification requirement "silly."

"It only applies to the good guys, which makes it really silly," he said.

The panel also heard sponsor testimony on three pieces of legislation offered by Rep. Bill Patmon (D-Cleveland), including a bill (HB 151) to implement universal background checks on the sale of firearms.

Given increases in gun violence across the country and in Ohio, universal background checks are necessary, he said.

"It seems superfluous that we require federally licensed firearms dealers to run background checks, but don't require them of transactions between private parties," he said. "Private parties can buy and sell many guns a year while claiming not to be engaged in the business of selling firearms."

He went on to compare the proposal to airport security - something all airline passengers must go through.

"Regardless of who you are, we all go through one form of this security or another. We're okay with this fact because we know that this is one of the ways terrorism is prevented," he said. "To buy a gun from a federally licensed firearms dealer you must provide identification and certify on a form that you are buying the gun for yourself and that you do not belong to any of the classes of people who are prohibited from purchasing or possessing firearms."

Another bill (HB 152) sponsored by Rep. Patmon would require those who have been convicted of a felony to disclose that information when applying for a hunting license.

"The purpose of disclosing a felony conviction is so that we are better able to make distinctions between law-abiding citizens who have given us no reason to distrust them with a firearm and those citizens who are convicted felons and should therefore be restricted in access to and use of firearms when discussing wildlife sporting activities," Rep. Patmon said.

Rep. Derek Merrin (R-Maumee) questioned the intent of the legislation, specifically whether the aim is to prevent those with felony convictions from obtaining a hunting license.

Rep. Patmon said that is not the intent. However, he said under current state law, convicted felons are not supposed to be in possession of firearms.

The final measure (HB 153) would ban the manufacture or sale of imitation firearms in Ohio.

Toy guns, Rep. Patmon, said are a "nuisance to public safety."

"As a rule, when toys pose safety hazards, we pull them off of the shelves. In the case of imitation firearms, the opposite has taken place - we continue to make them more and more life-like," he said. "This increases the chances that they will be mistaken for the real thing."

"Police often have to make split second decisions regarding the validity of a firearm when they are thrust into a situation. When all that differentiates a firearm from an imitation one is a coat of paint or some stickers, let's take the guess work out of it. A toy should look like a toy."

## House Panel Reports Bill Exempting Optical Aids From Taxes, Tables Democratic Amendments

A House committee Tuesday advanced a bill to exempt prescription eyeglasses and contact lenses from sales and use tax after tabling a Democratic amendment to similarly exempt feminine hygiene products from those same taxes.

Also tabled was a Democratic amendment that would have held local governments harmless from lost tax revenue if the bill passes. The Legislative Service Commission estimates the bill would result in a loss of \$18.5 million in General Revenue dollars and \$700,000 in the local government and public library funds in Fiscal Year 2018. ([Fiscal Analysis](#))

In both cases, House Ways & Means Chairman [Rep. Tim Schaffer](#) (R-Lancaster) said the proposals need more vetting "through another forum."

Before voting the bill ([HB 124](#)) out of committee, members did adopt one amendment from [Rep. Derek Merrin](#) (R-Maumee) that shifts the effective date of the bill from July 1, 2017, to July 1, 2019.

"The goal here is the same and that is to remove the sales tax from prescription eyewear as soon as possible," Rep. Merrin said. "I believe this puts the bill in the best position possible to make sure this become law."

Language implementing the vision correction tax exemption was added to the budget bill ([HB 49](#)) earlier Tuesday. (*See separate story*)

[Rep. Emilia Sykes](#) (D-Akron) offered the amendment pertaining to feminine hygiene products, saying that the same arguments made during testimony about the necessity of prescription eyewear can be applied to those products.

"I can personally attest that having access to eyewear is a necessary part of my life," she said. "Additionally, I can attest to the fact feminine hygiene products are a necessary tool and device to use and without either eyeglasses or feminine hygiene products it makes it very difficult...for people to actively participate in work and school and be productive citizens of the state of Ohio."

The amendment was tabled by a 10-8 vote with Republicans [Rep. Doug Green](#) (R-Mt. Orab) and [Rep. Larry Householder](#) (R-Glenford) joining Democrats in voting against tabling the measure.

Democrats and Rep. Householder also voted against the tabling of the hold harmless amendment offered by [Rep. John Rogers](#) (D-Mentor-on-the-Lake). That amendment failed by a 12-6 vote.

"It's a valid proposal," Rep. Rogers said of the bill, "that does have an impact on local governments and libraries."

[Rep. Steve Hambley](#) (R-Brunswick) said he agreed in principle with holding those communities harmless but that the matter is better left to the 133<sup>rd</sup> General Assembly, which would be in session when the amended bill takes effect in 2019.

Rep. Green, meanwhile, expressed continued reservations about the bill's exemption of all expensive designer frames from sales and use tax.

"My personal belief is the frame itself or a portion of the frame value should be taxed," he said.

The Ohio Opticians Association, the Ohio Optometric Association and the ECP Network submitted written proponent testimony.

The committee also reported a bill ([HB 118](#)) to prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner. No witnesses appeared to speak to that bill.

## Lawmakers Leery Of Bill Aimed At Boosting Competition For State-Funded Water Projects

Lawmakers on Tuesday questioned the impacts of a bill that backers argue intends only to allow municipal project engineers to consider multiple types of piping for state-funded water or wastewater projects.

The measure (HB 121), which is a scaled-back version of a legislation introduced in the last General Assembly, is endorsed by the industry that produces PVC and other types of plastic pipes.

A dozen witnesses told the House State and Local Government Committee on Tuesday that approving the legislation to require public authorities to consider all piping materials they deem appropriate would increase competition and save the state money.

However, a handful of lawmakers said they're leery of the bill's language and the possibility that design engineers would be required to do extensive research on piping materials and allow bids from companies that don't use preferred materials.

Ohio Chemistry Technology Council President Jenn Klein said the goal of the bill is to give designers the ability to consider alternatives to traditional piping materials such as cast iron.

Currently more than a third of all Ohioans live in jurisdictions that limit the type of materials that can be used for water and wastewater projects, she said.

"Opening up this market to competition will strengthen Ohio communities by allowing them to determine what the most appropriate material is," Ms. Klein said.

More cost-effective options or the creation of competition to lower costs on traditionally used materials is important to Ohio now because it needs \$12.1 billion in drinking water infrastructure and \$14.5 billion in wastewater infrastructure improvements over the next 20 years, she said, citing American Society of Civil Engineers estimates.

In comparing central Ohio cities with different bidding policies, OCTC found that a city with an open bidding process saved it about 35% on its project - which used both traditional and plastic piping - when compared to a city with closed bidding policies, Ms. Klein said.

Multiple committee members, including Chairwoman Rep. Marlene Anielski (R-Walton Hills) raised concerns about the bill, however.

Rep. Anielski said she was confused by testimony describing the bill as permissive when it reads that public authorities shall consider a range of materials.

Likewise, Rep. John Becker (R-Union Twp.) and Rep. Glenn Holmes (D-McDonald) said they're worried engineers would feel obligated to spend time and taxpayer money researching materials that haven't historically been used in their municipalities.

"I'm concerned the engineers are going to be in a bind with this," Rep. Becker said.

Ms. Klein said the bill wouldn't require engineers to consider materials they don't think are appropriate for job.

"The intent is not that they have to bring a spreadsheet of all the materials they could have potentially used," she said. "By saying shall, it gives the local engineer the authority that they don't have now to look at materials.

"I think in crafting the legislation, we were trying to be deferential to the locals," she added later. "Those that have existing ordinances, this would allow them, if they wanted to, to continue to defer to that local ordinance."

Rep. Rick Carfagna (R-Westerville) requested a list of the municipalities that currently have closed bidding processes. He debated whether the legislature should take a more targeted approach to those communities where

all available piping materials aren't being considered.

Also questioning whether the topic could be addressed on a smaller scale, Rep. Janine Boyd (D-Cleveland Hts.) asked why engineers interested in pursuing the use of alternative materials in water and wastewater projects couldn't simply ask local authorities for permission.

"It just seems to me that these conversations should be local," she said.

John Serrano, director of government affairs for the Vinyl Institute, said the vinyl industry is working with local communities to change attitudes and inform engineers about alternative piping materials.

Making a change on the state level would be the most effective route to breeding competition, though, he said.

"There is a lack of choice and limit on competition that has created local monopolies in pipe markets and increased the costs of funding new and replacement projects at a time when budgets are already tight," Mr. Serrano said. "There is no reason our cities and water engineers should be prohibited from choosing the most appropriate pipe material for their project."

Mr. Serrano told committee members that plastics companies aren't angling to market the industry so much as give engineers options.

**Subscribers Note:** Complete testimony is available on the committee's website under April 25.

Governor's Appointments

**State Veterinary Medical Licensing Board:** Dr. Craig Miesse of Celina for a term beginning April 24, 2017, and ending December 31, 2019.

**Housing Trust Fund Advisory Committee:** Laura Swanson of Columbus, William Faith of Columbus, Deborah Lieberman of Dayton, and Angela King of Celina have been appointed to the for terms beginning April 24, 2017, and ending March 18, 2021.

Supplemental Agency Calendar

**Thursday, April 27**

**Straight A Fund Governing Board, 25 South Front Street, Columbus, 3 p.m.**

Supplemental Event Planner

**Tuesday, May 2**

School choice rally, West Plaza, Statehouse, Columbus, 11 a.m.

**Wednesday, May 3**

Smart Justice - Buckeye Institute panel discussion on criminal justice, Davidson Theatre, 77 S. High St., Columbus, 5 p.m., (For more information and to register see <https://www.buckeyeinstitute.org/events/detail/smart-justice-the-all-star-series>)


**Tuesday, May 16**

Rep. Margaret Conditt (R-Liberty Township) fundraiser, Condado Downtown, 132 S. High Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Margy Conditt)

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## House Activity for Tuesday, April 25, 2017

PASSED

**HB SPECIAL ELECTIONS** (Pelanda, D., Retherford, W.) To eliminate the requirement of holding a special **18** election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances.

84-0

Gongwer Coverage

**HB MONTH DESIGNATION** (Sprague, R.) To designate May as "Neurofibromatosis Awareness Month."

**45**

88-0

Gongwer Coverage

**HB MONTH DESIGNATION** (Sykes, E., Perales, R.) To designate February as "Teen Dating Violence **94** Awareness Month."

91-0

Gongwer Coverage

### HOUSE SPEAKER'S APPOINTMENTS

Ohio War Orphans Scholarship Board: Rep. Johnson

### COMMITTEE HEARINGS

Finance

**HB BIENNIAL BUDGET** (Smith, R.) To provide authorization and conditions for the operation of state **49** programs. (**CONTINUED-SUBSTITUTE** (See separate stories); 10th Hearing-Possible substitute)

State & Local Government

**HB PIPE MATERIALS** (Edwards, J.) To require a public authority to consider all piping materials that meet **121** the engineering specifications for a state-funded water or waste water project. (**CONTINUED** (See separate story); 2nd Hearing-Proponent)

**HBECONOMIC DEVELOPMENT** (Hambley, S., Rogers, J.) To establish a Regional Economic Development **122** Alliance Study Committee to study the benefits and challenges involved in creating regional economic development alliances. (**CONTINUED**; 2nd Hearing-All testimony)

Hudson Mayor Bill Currin, who is chairman of the Northeast Ohio Mayors Association and City Mayors Association's Regional Prosperity Initiative, urged lawmakers to approve the creation of the study committee.

"Collaborative metropolitan economic development has been shown to benefit all participating entities," he said in prepared testimony. "The committee would study the features, benefits and challenges involved in establishing metropolitan economic development alliances that would incentivize cooperation, enhance success, and provide for greater efficiency in economic development among participating municipal corporations, namely in metropolitan areas."

He stressed that the bill simply creates a study committee and does not require local governments to implement any initiatives.

Tom Bier, senior fellow with the Maxine Goodman Levin College of Urban Affairs at Cleveland State University, also supported the bill, laying out the benefits of collaboration.

**HBSCHOOL GRANTS** (Hambley, S., Kick, D.) To allow community improvements board grants to a school **134** district to be spent for permanent improvements outside the county so long as the improvements are within the school district. (**CONTINUED**; 1st Hearing-Sponsor)

The bill would affect just three school districts in the state, all of which are in Medina County, joint sponsor Rep. Steve Hambley (R-Brunswick) said. Those are Black River, Norwayne and Rittman school districts.

"Currently, Medina County is the only county in Ohio that has a sales and use tax for permanent improvements that go to school districts in the county," he said. "Since approved by the voters in May, 2007, a one-half percent sales and use tax is distributed on a per-pupil basis to each school district and can be spent only for permanent improvements within the county."

Three districts currently serve portions of the county, but don't have physical facilities in the county so they can only spend their Medina County sales tax grant money on school vehicles and textbooks under state law, Rep. Darrell Kick (R-Loudonville) said.

We have heard from administrators at these districts that if they had the option, they would invest these dollars in building repair and improvements," he said. "Because of this technicality in law, they are currently prohibited from doing so."

**HB 135 DAY DESIGNATION** (Patmon, B.) To designate June 12th as "Superman Day." (**CONTINUED**; 1st Hearing-Sponsor)

The day designation would "codify one of Ohio's global contributions," Rep. Bill Patmon (D-Cleveland) said in sponsor testimony.

"This day will pay homage to Joe Shuster and Jerry Siegel, the two men responsible for the original interpretation of Superman in comics, and eventually in real-life motion pictures," he said.

Mr. Siegel was born in Cleveland and Mr. Shuster began creating Superman in 1933 while attending Glenville High School, Rep. Patmon said.

**HB PUBLIC DISCLOSURE** (Perales, R., Keller, C.) To eliminate the public disclosure exemption for any **139** permanently retained record 100 years after the date of its creation. (**CONTINUED**; 1st Hearing-Sponsor)

Rep. Rick Perales (R-Beavercreek) said the bill would make available information that could be useful to those looking to learn more about family heritage or the regional history.

The records could be particularly beneficial to individuals who were adopted and their adoptive families, suggested joint sponsor Rep. Candice Keller (R-Middleton).

"The sealed time period of 100 years takes into consideration any complications or emotional impact that opening these records might have for certain individuals since it allows the timespan of at least one generation to

pass. This is similar to the federal policy to lift restrictions on United States census records after 72 years," Rep. Perales said.

The bill has the support of the County Archivists and Records Managers Association and has been vetted by the attorney general's office, he added.

According to the Legislative Service Commission, any information federal law currently prohibits from public viewing, such as social security numbers, would still be redacted or sealed beyond the 100 years if the legislation were to be approved.

Chairwoman Rep. Marlene Anielski (R-Walton Hills) asked the sponsors to look into how the bill could impact legislation approved in the last General Assembly that would keep veterans' separation papers sealed.

**HB TIF DISTRICTS** (Cupp, R.) To require reimbursement of certain township fire and emergency medical service levy revenue forgone because of the creation of a municipal tax increment financing district.

■ (CONTINUED (No testimony); 6th Hearing-All testimony-Possible vote)

**SB DAY DESIGNATION** (Thomas, C.) To designate September 12 as "Jesse Owens Day." (REPORTED 18) (No testimony); 3rd Hearing-All testimony-Possible vote)

**SB MONTH DESIGNATION** (Beagle, B.) To designate the period beginning March 13 and ending April 15 as "Ohio Deaf History Month." (REPORTED (No testimony); 3rd Hearing-All testimony-Possible vote)

#### Ways & Means

**HB SALES TAX** (Merrin, D.) To exempt prescription eyeglasses, contact lenses, and other optical aids sold by licensed dispensers from sales and use tax. (REPORTED-AMENDED (See separate story); 3rd Hearing-

■ All testimony-Possible amendment & vote)

**HB PROPERTY TAX COMPLAINTS** (Merrin, D.) To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner. (REPORTED (No testimony); 3rd Hearing-

■ All testimony-Possible vote)

**HB TAX LEVIES** (Brenner, A., Carfagna, R.) To authorize a joint vocational school district to submit the question of a renewal tax levy to voters who did not have an opportunity to vote on the levy at an election held in November of 2015 because the levy was only placed on the ballot in one of several counties in which the district has territory. (CONTINUED-SUBSTITUTE; 2nd Hearing-All testimony-Possible substitute & amendments)

The committee adopted a substitute bill that makes four changes to the bill, according to a Legislative Service Commission comparison document.

Among the new additions is an emergency clause, which sponsor Rep. Rick Carfagna (R-Westerville) told committee members will "speed up the process by which the (Delaware Area Career Center) may receive restitution and get their expansion project back on its feet."

"Though emergency clauses are rare, we feel that it is necessary in an unprecedented case such as this," he said.

Another change is meant to correct constitutional issues in the bill that aims to correct an oversight in which the Delaware County Board of Elections left off ballot language for the proposed DACC levy from the ballots of more than 1,026 voters.

The language now authorizes all electors residing outside the most populous counties to vote on the resubmitted renewal levy regardless of whether the elector was eligible to vote in the 2015 general election.

The bill had previously authorized only electors who were denied the opportunity to vote but were eligible to vote in the 2015 election to vote on the levy. Speaking to the committee, Rep. Carfagna said that prior language raised a host of "constitutional questions." (See Gongwer Ohio Report, March 28, 2017)

The substitute version also requires both the joint vocational school district's resolution to resubmit the renewal levy and the ballot language for the levy to state the same purpose, rate and term as the originally proposed levy.

DACC Superintendent Mary Beth Freeman returned before the committee to address lingering questions. She said the levy is crucial for the district to complete an ongoing construction project and to maintain current support systems for students.

Making sure the levy is a renewal levy, and not an entirely new levy, is also key she said, hence the importance of this legislation.

"Because this was a renewable levy, homeowners had the benefits of the 12.5% rollback and if we have to go back for a new levy, our taxpayers will lose this benefit," she said.

"Without HB 124 and through no fault of DACC, we will need to go back to the all voters," Ms. Freeman continued. "It will be difficult for many to understand why we are back in just two years when we promised we would not be back for 10."

**Subscribers Note:** For full testimony view the [committee's website](#) under April 25.

Economic Development, Commerce & Labor

**HB PRECIOUS METALS** (Henne, M.) To make changes to the licensing and records requirements, **120** exemptions, penalties, and other provisions of the Precious Metal Dealers Law. (**CONTINUED (No testimony); 2nd Hearing-Proponent**)

**HB STEEL WELDING** (Perales, R., Dever, J.) To establish in the Ohio Building Code requirements **127** pertaining to structural steel welding and bridge welding. (**CONTINUED; 1st Hearing-Sponsor**)

Rep. Rick Perales (R-Beavercreek) said the bill strengthens public protections regarding welding, telling the panel the current lack of oversight by a third party provides an opportunity for "unethical practices" to take place. "This ultimately puts lives in danger, as poor welds can cause a structure to collapse during or after construction," he said.

"The construction industry is often plagued with compliance issues and unethical practices due in part to a lack of oversight and enforcement," he said. "The best method to ensure the quality and integrity of structural steel welding by the welder is to require that a contractor working on a project must have their welders tested at an American Welding Society (AWS) accredited testing facility."

"Having a third-party conduct the qualification testing using a certified welding inspector will insure that the welding being done on a construction project is done by a competent welder."

Sponsor Perales told Rep. Michele Lepore-Hagan (D-Youngstown) that the AWS would oversee training operations, adding that some people performing welding services are not qualified to do so.

Rep. Jonathan Dever (R-Cincinnati) said the building trades are supportive of the bill, adding that lawmakers should be certain that people working on public infrastructure projects should be properly trained.

Rep. Ron Hood (R-Ashville) said it seems contractors would look to hire qualified welders to preserve their reputations in the industry.

Rep. Perales said it is in the contractor's interest to bring in qualified welders, but said margins in the industry are so tight, some may seek to cut costs by using sub-par labor.

Rep. Al Landis (D-Dover) said the fact that the bill applies to pipeline construction will make sure pipelines are built safely in Ohio.

**HBBUILDING INSPECTIONS** (Roegner, K.) To permit a general contractor or owner of specified buildings **128** to enter into a contract with a third-party private inspector or a certified building department for building inspection and to make other changes relating to building inspections. (**CONTINUED**; 1st Hearing-Sponsor)

Rep. Kristina Roegner (R-Hudson) said the bill establishes a "common sense solution" to addressing potential delays in building inspections, which can prove costly to construction companies.

To address those concerns, she said the bill requires inspections performed by building departments to be performed within 24 hours of a request and allows general contractors or building owners to request independent inspections.

If an independent inspection is chosen, the contractor would be responsible for inspection fees to the third party and the building department would still be able to charge standard fees including administrative and filing costs.

The independent inspector would have send results to the building department within 24 hours of the inspection. She said the measure also lets the Board of Building Standards investigate and evaluate employees of local building departments.

She said the bill also allows local building departments to contract with the Division of Industrial Compliance to exercise enforcement authority, accept and approve plans and inspect non-residential buildings.

Local boards could also ask the Board of Building Standards for a list of private inspectors to supplement their work.

Rep. Roegner added that the bill allows general contractors or owners to request a certificate of occupancy from the local building department or the Board of Building Standards and establishes an expedited arbitration process through which an inspect result can be appealed.

Rep. Lepore-Hagan asked whether the bill would represent a cut to local governments, and whether it privatizes a government service.

Rep. Roegner said the bill doesn't reduce funding for local governments, but gives contractors more choice in who conducts their inspections. She said building departments sometimes get overwhelmed, and can't conduct all inspections in a timely manner.

She added that the list of alternative inspectors provided by the Board of Building Standards could also include other local building departments, which could generate revenue for those entities.

The sponsor also told Rep. Lepore-Hagan that the bill doesn't open the door to corruption in the inspection field. She said other inspectors would put their certification at risk if they perform incorrect inspections.

Rep. Thomas West (D-Canton) said allowing access to alternative inspectors could significantly reduce revenue at local building departments.

Rep. Roegner said the bill still allows the impacted local government to charge for administration and filing fees. She added that if a reduction occurs, it would be up to local officials to determine if staffing levels should change.

Rep. Steven Arndt (R-Port Clinton) observed that the 24-hour inspection timeframe seems tight given travel and weather complications that inspectors could face. Rep. Roegner said 24 hours is a best practice, but noted that an amendment is being drafted to address timing concerns.

Rep. Arndt also raised concerns about liability in cases when one inspector conducts a rough inspection and another performs a final inspection.

Rep. Roegner also told Rep. Brigid Kelly (D-Cincinnati) that while current law is silent on inspection timeframes, the administrative code requires a four-day turnaround.

#### Financial Institutions, Housing & Urban Development

**HB CREDIT ACCOUNT DEBT** (Schaffer, T.) To allow vendors to receive a refund of sales tax remitted for **104** bad debts on private label credit accounts when the debt is charged off as uncollectible by the credit account lender. (**REPORTED**; 3rd Hearing-All testimony-Possible vote)

Jeff McClain, director of tax and economic policy for the Ohio Chamber of Commerce, provided written testimony in support of the bill, saying that "the current practice of allowing the state to keep sales tax revenue on which a purchase/sale was not paid for by the consumer is unfair and needs to be changed."

**HB COUNTY INVESTMENTS** (Sprague, R.) To modify the qualifications regarding notes eligible for **46** investment of county inactive moneys. (**REPORTED (No testimony)**; 3rd Hearing-Opponent & interested party-Possible vote)

**SB LOAN ACT** (Terhar, L.) To create the Ohio Consumer Installment Loan Act. (**REPORTED-AMENDED 24**) (**No testimony**); 3rd Hearing-All testimony-Possible vote)

Before reporting the bill, the committee accepted an amendment that defines loan agreements and requires notice on loan agreements if an extension of credit is made under the Ohio Consumer Installment Loan Act.

#### Federalism & Interstate Relations

**HB CONCEALED WEAPONS** (Wiggam, S.) To eliminate the requirement that a concealed handgun licensee **142** notify a law enforcement officer that the licensee is carrying a concealed handgun when stopped. (**CONTINUED (See separate story)**; 1st Hearing-Sponsor)

**HB FIREARMS DEALERS** (Patmon, B.) To prohibit a transfer of a firearm from a person who is not a **151** federally licensed firearms dealer to a person who is not a federally licensed firearms dealer unless it is done through a federally licensed firearms dealer, through a state or local law enforcement agency, or pursuant to a specified exception; to require that background checks be conducted when a firearm is transferred through a federally licensed firearms dealer or a state or local law enforcement agency; and to provide for recordkeeping with respect to information obtained pursuant to such a background check. (**CONTINUED (See separate story)**; 1st Hearing-Sponsor)

**HB HUNTING LICENSES** (Patmon, B.) To require an applicant for a hunting license to specify whether the **152** applicant has been convicted of or pleaded guilty to a felony and to require the license to specify "firearm restricted" if an applicant has so indicated. (**CONTINUED (See separate story)**; 1st Hearing-Sponsor)

**HB IMITATION FIREARMS** (Patmon, B.) To generally ban the manufacture, sale, alteration, and public **153** display of imitation firearms and the disguising of a firearm to make it resemble an imitation firearm. (**CONTINUED (See separate story)**; 1st Hearing-Sponsor)

**Subscribers note:** Full testimony is available on the committee's website under April 25.

#### Energy & Natural Resources

**HB ROYALTY STATEMENTS** (Cera, J.) To require the owner of an oil or gas well to provide a royalty **130** statement to the holder of the royalty interest when the owner makes payment to the holder. (**CONTINUED**; 1st Hearing-Sponsor)

Sponsor Rep. Jack Cera (D-Bellaire) said the bill is the first step in giving landowners some clarity with their oil and gas leases by creating standards for royalty statements.

At the moment, he said, the royalty statements differ from company to company in terms of the information they present. The bill would require the sharing of information on production, sales, taxes and deductions on the statements.

"A unified royalty statement can help a property owner make sure the companies drilling on their property are treating them fairly and accurately," he said.

The bill is modeled after policies in other oil and gas producing states, he said.

"The information provided on a royalty statement is necessary so that the landowner can verify the accuracy of his or her royalty payments and HB130 is the vehicle for helping our constituents with this oversight," he said.

**HB WATER RESERVOIRS (Leland, D., Boggs, K.)** To eliminate law authorizing the maintenance of buffers **29** around municipal water reservoirs by contiguous property owners. (CONTINUED; 1st Hearing-Sponsor)

Sponsors Rep. David Leland (D-Columbus) and Rep. Kristin Boggs (D-Columbus) said the bill would repeal legislation enacted in the last General Assembly that allows residents who own property around municipal water sources to alter the government-owned land along the water.

"In effect, this law would place the quality of the public's drinking-water in the hands of residents who live around those bodies of water," Rep. Boggs said. "It gives those residents the authority to prioritize the aesthetics of the buffer zones over their ability to fulfill their sole purpose - to effectively protect a vital public resource."

"Prior to this change, buffer zones, or strips of land, owned by the municipalities, between a homeowner's property and a reservoir, were in place to protect the safety of a water supply that was used by millions of Ohioans," she added.

A lawsuit has blocked that change from taking effect, the sponsors said, but the General Assembly should work to fix the problem.

"Each of us knows that the legislative process works best when accompanied by a vetting process, which involves facilitating discussion and review by our peers, stakeholders, and the public," Rep. Leland said. "That simply did not happen here; this provision was inserted into the state's last biennial budget at the last minute without public input or participation. We have another chance now, through HB29, to do the right thing."

Answering a question from Chairman Rep. Al Landis (R-Dover), Rep. Leland said the issue that prompted the original legislation can be better dealt with through an agreement or a memorandum of understanding rather than a statewide policy.

**SB ENVIRONMENTAL LAWS (Hite, C.)** To revise specified laws relating to environmental protection. **2** (CONTINUED; 1st Hearing-Sponsor)

Sponsor Sen. Cliff Hite (R-Findlay) said the bill, which covers a wide range of environmental issues, will help protect Lake Erie. The bill would update statutes regarding the responsibilities of the Ohio Lake Erie Commission and protect the quality of its water and ecosystems.

Sen. Hite said the bill would improve the Ohio EPA's ability to help public drinking water supplies.

"We don't want a Flint here," he said. "We don't want that kind of catastrophe."

Ohio EPA Director Craig Butler also testified on the bill, which was originally offered as a mid-biennium review measure last session.

He detailed other changes in the bill, including efforts to identify better uses for dredged materials, improving drinking water quality and strengthening the water quality professional program.

"Senate Bill 2 will continue to protect Ohioans and our environment," he said. "This is common sense legislation that is needed to provide balance between helping communities and businesses address water quality issues and streamlining burdensome rules."

Rep. Tim Schaffer (R-Lancaster) asked what in the bill would help avoid a Flint-like situation of tainted drinking water.

Sen. Hite said the measure would ensure local water systems know what infrastructure they have.

"We need to know where we're at before we know what we do," he said.

Director Butler said many smaller systems don't know where their lines are, and it can cause delays in fixing simple issues.

"Understanding and having technical and managerial control of your system starts with knowing where your assets are, how old they are," he said.

#### Public Utilities


**HB NUCLEAR ENERGY (DeVitis, T.)** Regarding the zero-emissions nuclear resource program.  
**178** (CONTINUED (See separate story); 1st Hearing-Sponsor & proponent-Pending referral)

**Subscribers Note:** For full testimony, see the [committee's website](#) under April 25.

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## Daily Activity Planner for Wednesday, April 26

### Legislative Committees

**House Health** (Committee Record) (Chr. Huffman, S., 466-8114), Rm. 121, 9 a.m.

**SB AWARENESS DAY** (Kunze, S.) To designate the seventeenth day of May as "Diffuse Intrinsic Pontine 57 Glioma Awareness Day." (1st Hearing-All testimony-Possible vote)

**HBEPINEPHRINE DISPENSING** (Merrin, D.) To authorize an epinephrine autoinjector substitution when a 101 prescription is filled or refilled, to authorize epinephrine to be dispensed without a prescription under a physician-established protocol, and to declare the act the "Epinephrine Accessibility Act." (4th Hearing-PropONENT & OPPONENT-Possible vote)

**HBOPIOID MEDICATIONS** (Edwards, J.) Regarding addiction treatment and opioid prescribing by 167 physicians and dentists. (1st Hearing-Sponsor-Pending referral)

**HBABORTION** (Patmon, B., Conditt, M.) To expand the crime of abortion trafficking and to increase the 149 penalty. (1st Hearing-Sponsor)

**HB AWARENESS MONTH** (Gonzales, A., Conditt, M.) To designate May as "Congenital Cytomegalovirus 165 Awareness Month." (1st Hearing-Sponsor-Pending referral)

**House Finance** (Committee Record) (Chr. Smith, R., 466-1366), Rm. 313, 9 a.m.

**HBIC BUDGET** (Brinkman, T.) To make appropriations for the Industrial Commission for the biennium 28 beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of Commission programs. (3rd Hearing-Possible amendments & vote)

**HBBIENNIAL BUDGET** (Smith, R.) To provide authorization and conditions for the operation of state 49 programs. (11th Hearing-All testimony)

**House Transportation & Public Safety** (Committee Record) (Chr. Green, D., 644-6034), Rm. 017, 9 a.m.

**HBROAD NAMING** (Arndt, S.) To designate a portion of State Route 61 in Erie County as the "SGT David 136 Sexton Memorial Highway" and a portion of Benton-Carroll Road in Ottawa County as "SGT Glen Millinger Memorial Highway." (1st Hearing-All testimony-Possible vote)

**HBROAD NAMING** (Green, D.) To designate a portion of State Route 32 in Brown and Highland Counties as 140 the "Army Specialist Danny Raymond King Memorial Highway." (1st Hearing-All testimony-Possible vote)

**HB OPPORTUNITY CORRIDOR** (Smith, K., Howse, S.) To designate the planned boulevard known as the 83 Opportunity Corridor within Cleveland as the "Carl and Louis Stokes Opportunity Corridor." (1st Hearing-Sponsor)

**HB DRIVER'S LICENSES** (Hambley, S., Rogers, J.) To authorize the issuance of an enhanced driver's license, 60 enhanced commercial driver's license, and enhanced identification card to facilitate land and sea border crossings between the United States and Canada and Mexico, pursuant to an agreement with the United States Department of Homeland Security. (3rd Hearing-Opponent & interested party-Possible vote)

**HB DISTRACTED DRIVING** (Hughes, J., Seitz, B.) To establish an enhanced penalty for committing a

**95** moving violation while distracted if the distraction is the apparent cause of the violation and to reenact provisions of law that specified that certain electronic wireless communications device violations were allied offenses of similar import. (3rd Hearing-Opponent & interested party-Possible substitute)

**House Government Accountability & Oversight** (Committee Record) (Chr. Blessing, L., 466-9091), Rm. 114, 9:30 a.m.

**HBRECORDS EXEMPTION** (Hambley, S., Rezabek, J.) To exempt from the Public Records Law certain information concerning a minor that is included in a record related to a traffic accident involving a school vehicle in which the minor was an occupant at the time of the accident. (4th Hearing-All testimony-Possible amendments & vote)

**HBVOTER REGISTRATION** (Pelanda, D.) To modify the law concerning challenges to voter registrations, the appointment of observers, and the procedures for processing absent voter's ballots and for casting absent voter's ballots in person. (4th Hearing-All testimony-Possible amendments & vote)

**HBFANTASY CONTESTS** (Dever, J., McColley, R.) To grant the Ohio Casino Control Commission the authority to regulate fantasy contests and to exempt fantasy contests from the gambling laws. (1st Hearing-Sponsor-Possible substitute)

**Senate Rules & Reference** (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

~~Canceled: **House Session** (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.~~

**Senate Session** (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

**Senate Finance** (Committee Record) (Chr. Oelslager, S., 466-0626), Finance Hearing Rm., 3 p.m. or after session

- The panel will hear a budget measure (HB49) presentation on health and human services provisions from the administration

**House Community & Family Advancement** (Committee Record) (Chr. Ginter, T., 466-8022), Rm. 114, 4 p.m.

**HBRECORD EXPUNGEMENT** (Schuring, K., Reece, A.) To provide for the expungement of official records related to the apprehension, arrest, criminal charging, or trial of a person based on mistaken identity. (2nd Hearing-Proponent)

**HBCOMMUNICATION DISABILITIES** (Gavarone, T., Wiggam, S.) To establish a database of persons who voluntarily register as being diagnosed with a communication disability or who voluntarily register a minor child or ward as the parents or guardians of such persons for purposes of law enforcement notification. (3rd Hearing-All testimony-Possible substitute & vote)

**HBSNAP** (Henne, M., McColley, R.) Regarding eligibility and benefits under the Supplemental Nutrition Assistance program and the Medicaid program. (2nd Hearing-Proponent)

Agency Calendar

**State Personnel Board of Review**, 65 E. State St., 12th Fl., Columbus, 10 a.m.

Event Planner

**Rep. Michele Lepore-Hagan (D-Youngstown) fundraiser**, Einstein Bagels, 41 S. High St., Columbus, 8 a.m., (Sponsor \$500 Host \$250 Friend \$100 to Michele Lepore-Hagan for State Rep)

**Rep. Scott Lipps (R-Franklin) fundraiser**, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Scott Lipps)

**Ohio Housing Council Legislative Luncheon**, Athletic Club of Columbus, 136 E. Broad St., Columbus, 11:45 a.m., (RSVP to [ohc@ohiohousingcouncil.com](mailto:ohc@ohiohousingcouncil.com) or 614-221-6567)

**Ohio Council of County Officials news conference on revenue loss due to MCO tax changes**, Statehouse Atrium, Columbus, 4:15 p.m.

**Ohio Council of County Officials Legislative Reception**, Statehouse Atrium, Columbus, 5 p.m.

**Rep. Andy Brenner (R-Powell) poker tournament fundraiser**, Athletic Club of Columbus, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Brenner for Ohio)

17 S. High St., Suite 630

Columbus Ohio 43215

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7/23/2018

Gmail - Sarah, Do You Support Periodic Authorization of Federal Programs?



Sarah LaTourette Kayser <latoursm@gmail.com>

## Sarah, Do You Support Periodic Authorization of Federal Programs?

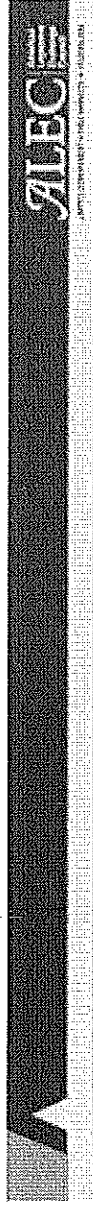
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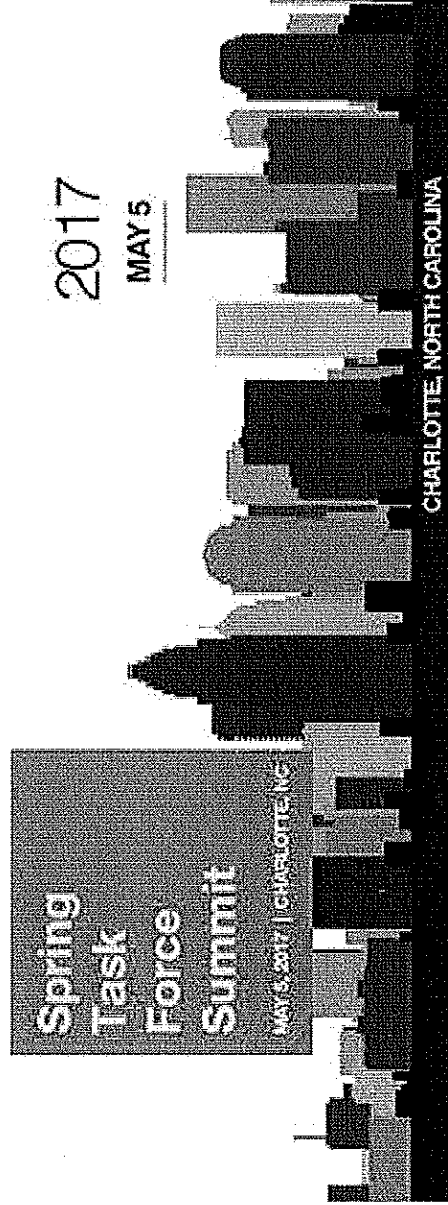
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As the Spring Task Force Summit nears, everyone at ALEC is hard at work preparing for a productive, policy-packed meeting. However, it goes without saying ALEC is also rearing up for all of the fun Charlotte has to offer. We are

looking forward to seeing you all soon!

## Fun Facts About Charlotte:

- North Carolina is a right to work state
- Charlotte is the largest city in the state of North Carolina and the 20th largest city in the United States
- Affectionately called the Queen City, Charlotte was named in honor of the German Princess Charlotte of Mecklenburg-Strelitz
- The Charlotte Hornets used to be a baseball team, then a football team before they became Charlotte's favorite basketball team
- Approximately 75% of all the NASCAR teams in the world are headquartered within two hours of uptown Charlotte

## New ALEC Video

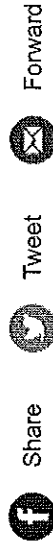
### **USA (Unauthorized Spending Accountability) Act Explained**

Representative Cathy McMorris Rodgers | A Sarah Wood Production



Watch the Full Video

In FY 2016, Congress appropriated \$310.4 billion to 256 programs that are no longer authorized - equating to roughly one-quarter of the discretionary budget. Representative Cathy McMorris Rodgers joins ALEC to discuss the USA Act, a bill that will address wasteful government spending.



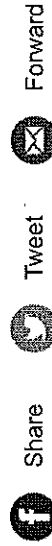
## Expert Insight

### **Tax Reform 101**

Tax Reform Explained | Jonathan Williams | ALEC Chief Economist



America has bared a competitiveness deficit for some time, due to an uncompetitive tax code-putting our job creators at a great disadvantage. Click here to learn more about how to make America competitive again.

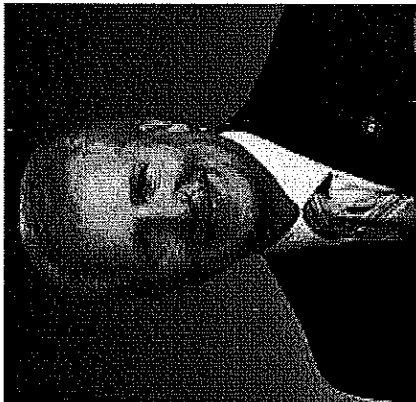


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### Featured ALEC Member

#### ALEC-FreedomWorks Legislator of the Week

Senator Bill Ketron | TN-13


[Read the Full Bio](#)

Senator Bill Ketron is a native Tennessean and was born in Kingsport, Tennessee. He received his B.S. in political science and history from Middle Tennessee State University and is a graduate of Leadership Rutherford, the year-long government and community education program of the Rutherford County Chamber of Commerce. Click here for the full bio.



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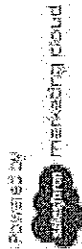
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Gmail - Sarah, as we turn to 2018, we need your help



Sarah LaTourette Kayser <latoursm@gmail.com>

## Sarah, as we turn to 2018, we need your help

1 message

Lisa B. Nelson <avamer@alec.org>

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Sun, Apr 30, 2017 at 6:01 PM

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Dear members,

The last few months at ALEC have been electric. I've heard from legislators around the country that 2017 has been a great year for limited government and free markets. And **ALEC members want to hear from you about what's happening in your state.**

As the legislative sessions begin to come to a close, it's clear 2017 has already been a great year for right to work, tax reform and deregulation that levels the playing field and keeps government from picking winners and losers. **In just the first hundred days of the new Administration, the White House has received high-level appointments and has taken steps to ensure increased regulatory relief that will grow jobs and the economy.** And, for the first time in a long time, hardworking American tax payers can be confident their legislators are supported in Washington as they are fighting on the front lines for limited government, free markets and federalism.

If you haven't gotten in on the action at ALEC, you are missing out. But there is still an opportunity for you to be where the action is because we are gearing up for two policy-packed meetings. Don't forget to register for the Spring Task Force Summit in Charlotte, North Carolina next week. There are just a few spots left, so I'd encourage you to sign up immediately!

And as you are preparing for the Spring Task Force Summit next week in Charlotte, be sure to put the ALEC Annual Meeting in Denver on your calendar for July 19-21. This is the ultimate opportunity for you to meet not just other ALEC members, but also new friends and allies in the fight for freedom. **At the ALEC Annual Meeting, you will listen, learn and engage with the best and brightest minds fighting for limited government like Steve Forbes, Kentucky Governor Bevin, administration officials and cabinet secretaries.**


Denver truly is great city, and we would love to have you. And, **bring your family**—through Kid's Congress, ALEC is happy to provide a wealth of activities for children so **you can learn and network while**

Gmail - Sarah, as we turn to 2018, we need your help

As we turn to 2018, we need your help to continue the limited government reform campaign initiated this year. At ALEC meetings you have a role in crafting the destiny of the states and the nation. Members from around the country want to know what you did in your state to advance free enterprise. Join us in the fight to preserve the rights enshrined in the Constitution, and to ensure power is rolled back to the states.

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## North Carolina: Setting the Example for Tax Reform

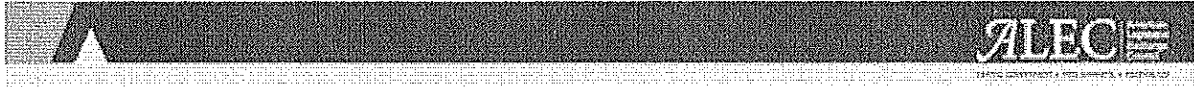
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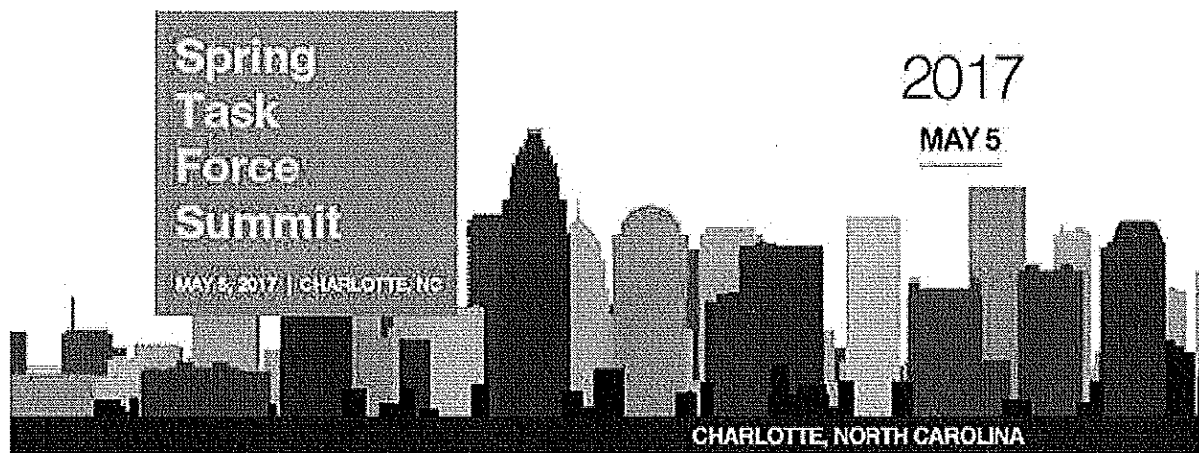
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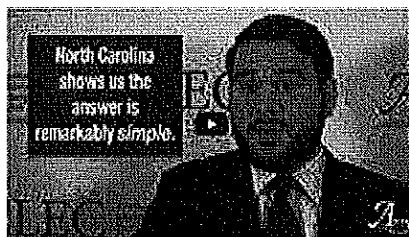
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### Featured Video

#### North Carolina: Setting an Example for Tax Reform

Elliot Young | Jonathan Williams | A Sarah Wood Production



Jonathan Williams, Chief Economist and Vice President of the Center for State Fiscal Reform, and Elliot Young, Research Analyst for the Center for State Fiscal Reform, discuss North Carolina's tax reform success. The state was ranked third in *Rich States, Poor States: ALEC-Laffer Economic Competitiveness Index*.



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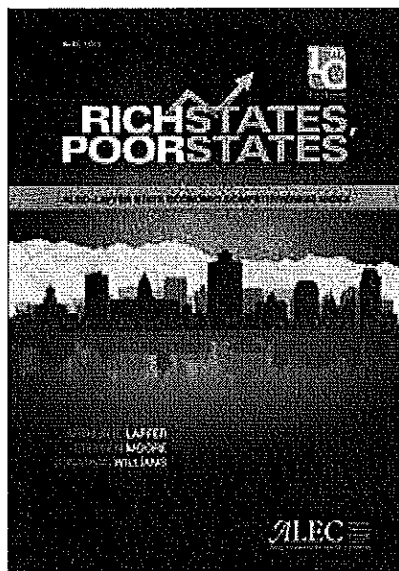
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## Featured Publication

### ***Rich States, Poor States, 10th Edition***

Dr. Arthur Laffer | Stephen Moore | Jonathan Williams



The 10th Edition of *Rich States, Poor States: ALEC-Laffer State Economic Competitiveness Index* reveals a pro-growth trend across the nation for 2017.

*Rich States, Poor States* examines the latest movements in state economic growth. The data ranks the 2017 economic outlook of states using fifteen equally weighted policy variables, including various tax rates, regulatory burdens and labor policies. The ninth edition examines trends over the last few decades that have helped or hurt states' economies.

#### Historical *Rich States, Poor States*

9th Edition | 8th Edition | 7th Edition | 6th Edition | 5th Edition



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## Expert Insight

### **Make Iowa More Competitive Through Tax Reform**

The Des Moines Register | Jonathan Williams | Tax Reform



[Read the Full Article](#)

Iowa's economy has many positive elements. However, as other states are working to simplify their tax codes, Iowa's tax code is falling behind and causing the loss of businesses, investments and entrepreneurs - leaving the state in search of better economic opportunities. Iowa is not just competing in a globalized economy, but it is also in competition with 49 other states for Americans and jobs. [Click here for more.](#)



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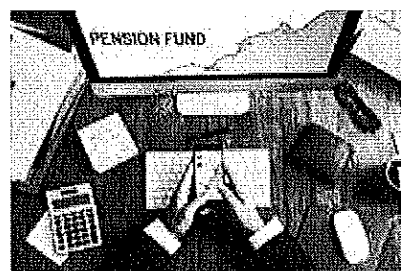


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## Expert Analysis

### **The Williams Report**

State Budgets | Bob Williams | ALEC Senior Fellow



**NEW REPORT:** Released May 1, by the ALEC Center for State Fiscal Reform. ALEC Senior Fellow Bob Williams, provides a run down of the latest budgets and pension reform in the states.



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## Expert Opinion

### Business-Friendly States are Growing at the Expense of those who Tax and Spend

National Review | Jonathan Williams

[Read the Full Article](#)

The tenth edition of the *Rich States, Poor States: ALEC-Laffer State Economic Competitiveness Index* has just been released, and once again, Utah was found to have the best economic outlook of any state in the nation. The rankings are based on 15 equally-weighted economic policy variables, including tax rates, labor policy, and regulatory climate. [Click here for more.](#)

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**ALEC Digital Exchange: Corporate Tax Reform - Making America Competitive Again**

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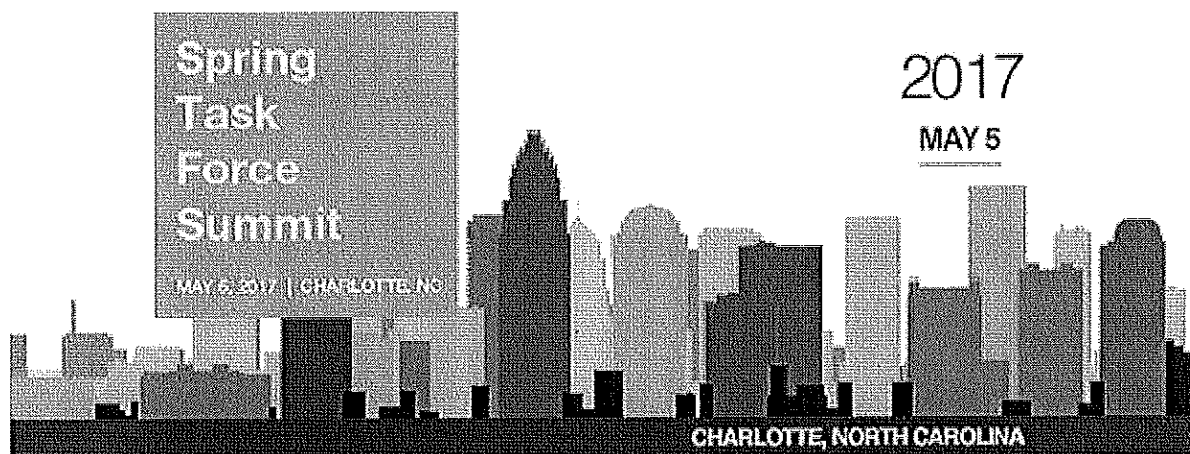
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[Click Here to Register Now](#)**Policy 101: Video****Corporate Tax Reform**

Joel Griffith | Director, ALEC Tax and Fiscal Policy Task Force | Tax Reform



The income tax rate on corporations, under current law is the highest in the industrialized world - discouraging foreign investment and economic growth. Click here to find out how to make America competitive again.



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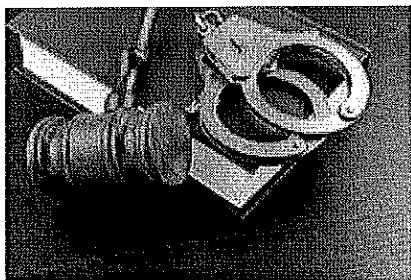
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## Expert Insight

### States Continue to Make Civil Asset Forfeiture Process More Transparent

Ronald J. Lampard | Director, Criminal Justice Reform



Reporting requirements for civil asset forfeiture are crucial for transparency. Ronald J. Lampard, Director of the ALEC Criminal Justice Reform Task Force recognizes several states across the country making positive steps towards better serving their districts. Click here to find out how your state can improve their civil asset forfeiture process.



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## Expert Insight

### President Trump Signs Executive Order Directing Department of Education to Review Regulation and Return Control to the States

Inez Feltcher Stepman | Director, Education and Workforce Development Task Force



On Wednesday, President Trump took a step in the right direction in reining in a bloated and overreaching Department of Education. Click here to find out how the administration is working to put education back into the hands of your state.



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## Model Policy Spotlight

### Temporary Health Insurance Risk Pool Act

**Summary:** This act creates a temporary health insurance state risk pool. Click below to review the full text of the draft model policy.

[Review Draft Model Policy](#)

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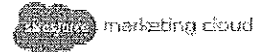


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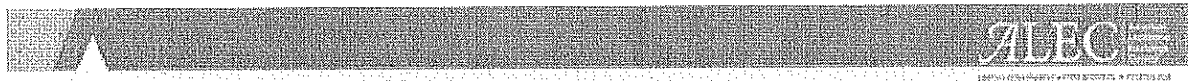
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## Federalism: "When We Destroy it, We Place Liberty at Peril"

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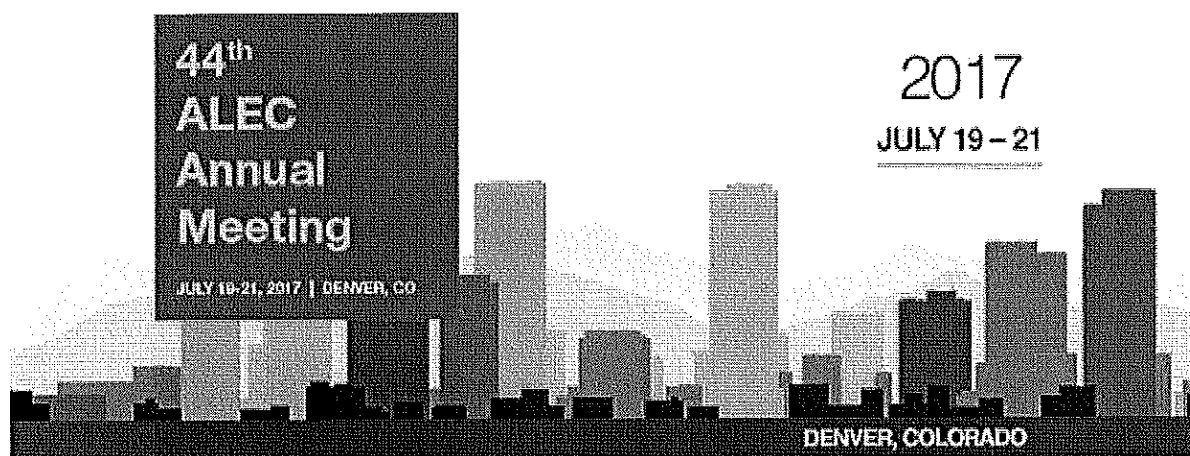
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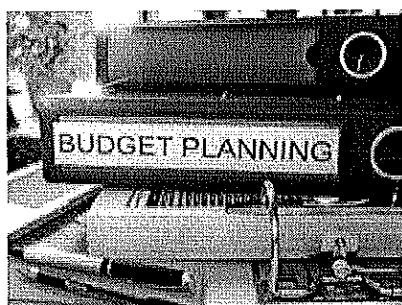
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### Expert Opinion

#### A Balanced Budget Amendment - A 2017 Recap of the Road to 34

Loren Enns | State Campaigns Director and Field Operative at Balanced Budget Amendment Task Force



The 2017 legislative session was filled with action for the balanced budget amendment (BBA) campaign. Going into January, BBA had 28 of the 34 state Article V applications needed to compel Congress to call an amendments convention suggesting the likelihood of reaching 30 to 32 applications was quite high. [Click here for more.](#)



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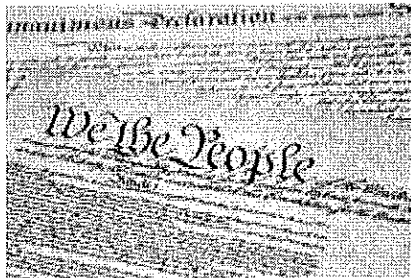
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## Expert Resource

### Federalism: "When We Destroy it, We Place Liberty at Peril"

Representative Ken Ivory | UT - 47



Take the Course

In 2014, the Utah State Legislature passed H.B. 120, which permits members of the Utah State Bar to receive up to two hours of continuing legal education (CLE) credit for free from the UVU Center for Constitutional Studies. Attorneys in other states may be eligible to apply to receive CLE credit. The initial one-hour course is taught in a series of six videos.

Take the course and join us as we restore structural balance to the greatest governing system ever devised.



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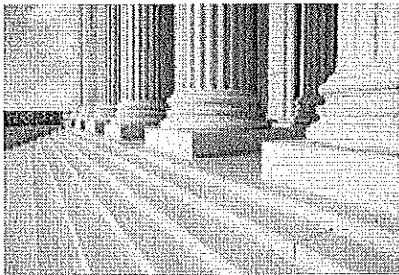


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## Expert Insight

### The "Runaway Convention": A Most Tenacious Myth

Karla Jones | Director, International Relations and Federalism Task Force



Read the Full Article

The universal roadblock that prevents Article V applications from reaching the 34-state threshold is the myth of the "runaway convention." This fiction first appeared in the early 1960s and has taken hold of the imaginations of many who oppose Article V process. For a comprehensive list of state applications, see the Article V Library [here](#).



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## Expert Opinion

### Assessing Pirated Content is not Worth the Risk

Karla Jones | Intellectual Property



Read the Full Article

Intellectual property rights (IPR) were so important to America's Founders, they included them in the U.S. Constitution in Article I, Section 8:

*"To promote the Progress of Science and useful Arts by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries."*

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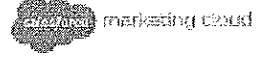


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## HOUSE ACTIVITY REPORT

### INTRODUCED

**HB 203****SUMMER JOBS (Barnes, J.)**

To require the Director of Development Services to establish a youth summer jobs pledging initiative to increase access to summer employment opportunities for high school and college youth.

**HB 204****GRANTS DEPARTMENT (Barnes, J.)**

To create the Department of Grants and Philanthropic Gestures.

**HB 205****SENIOR HOUSING (Barnes, J.)**

To enact the "Senior Housing Relief Act" to prohibit the sale of delinquent property tax certificates for homesteads owned for at least 20 years by a person aged 65 or older at the time of the sale and to prohibit tax foreclosure on such property when the senior homeowner has paid the current taxes in all but five or fewer taxable years.

**HB 206****AIR COMMISSION (Barnes, J.)**

To create the Commercial Airline and Air Freight Commission.

**HB 207**

**PHOTO MONITORING (Patton, T.)**

To prohibit a municipal corporation or township that does not operate either a fire department or an emergency medical services organization from utilizing traffic law photo-monitoring devices.

**HB 208**

**PHOTO MONITORING (Patton, T.)**

To prohibit a local authority with a population of 200 or fewer from utilizing traffic law photo-monitoring devices.

**HB 209**

**PHOTO MONITORING (Patton, T.)**

To prohibit a local authority, in any year, from issuing a total number of traffic tickets based on the use of traffic law photo-monitoring devices that exceeds two times the population of the local authority.

**HB 210**

**PHOTO MONITORING (Patton, T.)**

To prohibit a local authority from deriving more than 30 per cent of the total annual revenue of the local authority from the issuance of tickets for traffic law violations based on evidence recorded by traffic law photo-monitoring devices.

**HB 211**

**HOME INSPECTORS (Hughes, J.)**

To require the licensure of home inspectors and to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors.

**HB 212**

**ROAD NAMING (Householder, L.)**

To designate a portion of State Route 16 in Coshocton County as the "Staff Sergeant Paul C. Mardis Jr. Memorial Highway."

**HB 213**

**REAL ESTATE APPRAISERS (Dever, J.)**

To change the definition of "appraisal" for purposes of the Real Estate Appraiser Licensing Law, to make changes to certain procedures and the exceptions to licensure under that law, to regulate appraisal management companies, and to declare an emergency.

**HB 214****ABORTION (LaTourette, S., Merrin, D.)**

To prohibit a person from performing, inducing, or attempting to perform or induce an abortion on a pregnant woman who is seeking the abortion because an unborn child has or may have Down Syndrome.

**HB 215****PAULDING COURTS (Riedel, C.)**

To create the Paulding County Municipal Court in Paulding on January 1, 2019, to establish one full-time judgeship in that court, to provide for the nomination of the judge by petition only, to abolish the Paulding County County Court on that date, to designate the Paulding County Clerk of Courts as the clerk of the Paulding County Municipal Court, and to provide for the election for the Paulding County Municipal Court of one full-time judge in 2018.

## **CALENDAR FOR COMING SESSION**

**HB 28****IC BUDGET (Brinkman, T.)**

To make appropriations for the Industrial Commission for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of Commission programs.

Wednesday, May 10

**HB 101****EPINEPHRINE DISPENSING (Merrin, D.)**

To authorize an epinephrine autoinjector substitution when a prescription is filled or refilled, to authorize epinephrine to be dispensed without a prescription under a physician-established protocol, and to declare the act the "Epinephrine Accessibility Act."

Wednesday, May 10

**HB 118****PROPERTY TAX COMPLAINTS (Merrin, D.)**

To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner.

Wednesday, May 10

**HB 165****AWARENESS MONTH (Gonzales, A., Conditt, M.)**

To designate May as "Congenital Cytomegalovirus Awareness Month."

Wednesday, May 10

## REFERRED

### Armed Services, Veterans Affairs & Homeland Security

**HB 192****VETERAN COMMISSIONS (Miller, A., Anielski, M.)**

To permit county veterans service commissions to elect to add two members to the commission, one who is a veteran who served in Operation Enduring Freedom or Operation Iraqi Freedom, or subsequently in those theaters of operation, and one who is a military spouse.

**HB 202****AWARENESS DAY (Thompson, A.)**

To designate the first Saturday of May as "Veterans Suicide Awareness Day."

### Criminal Justice

**SB 1****DRUG OFFENSES (LaRose, F.)**

To increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse, and to add lisdexamfetamine to the list of schedule II controlled substances.

**SB 20****FELONY SENTENCES (Hackett, B.)**

To require an additional prison term of 3 to 8 years for an offender who is convicted of or pleads guilty to a felony offense of violence if the offender is convicted of or pleads guilty to a specification that the victim suffered permanent disabling harm.

**SB 33****LAW ENFORCEMENT DATA (Eklund, J.)**

To allow disclosure of information from the law enforcement automated data system (LEADS) to a defendant in a traffic or criminal case.

### Economic Development, Commerce & Labor

**FLU VACCINES (Hagan, C.)**

**HB 193**

To prohibit an employer from taking an adverse employment action against a person who has not been or will not be vaccinated against influenza.

### Education & Career Readiness

**HB 200**

**SCHOOL CHOICE (Koehler, K.)**

To eliminate the Educational Choice Scholarship Pilot Program and Pilot Project Scholarship Program and to create the Opportunity Scholarship Program.

### Federalism & Interstate Relations

**HB 201**

**CONCEALED WEAPONS (Hood, R., Brinkman, T.)**

To allow a concealed handgun licensee to carry concealed all firearms other than dangerous ordnance or firearms prohibited by state or federal law; to repeal the requirement that a licensee stopped for a law enforcement purpose promptly inform an approaching officer if the licensee is carrying a firearm and provide for expungement of convictions based on a violation of the requirement; and to provide that a person age 21 or older and not prohibited by federal law from possessing or receiving a firearm does not need a concealed handgun license in order to carry a concealed firearm and is subject to the same laws regarding concealed firearm carrying as a licensee.

### Financial Institutions, Housing & Urban Development

**HB 199**

**MORTGAGE LENDING (Blessing, L.)**

To create the Ohio Residential Mortgage Lending Act for the purpose of regulating all non-depository lending secured by residential real estate and to limit the application of the current Mortgage Loan Law to unsecured loans and loans secured by other than residential real estate.

### Government Accountability & Oversight

**FISCAL EMERGENCIES (Terhar, L.)**

**SB 88**

To modify the composition and powers of the financial planning and supervision commission of a political subdivision that is in a state of fiscal emergency and to clarify the duties of that political subdivision.

**HB 198****LOTTERY PURCHASES (Koehler, K.)**

To prohibit a lottery sales agent from accepting a credit card for the purchase of a lottery ticket.

**Health****HB 196****AWARENESS MONTH (Lipps, S.)**

To designate October as "Ohio Chiropractic Awareness Month."

**Higher Education & Workforce Development****SB 3****WORKFORCE DEVELOPMENT (Beagle, B., Balderson, T.)**

To revise the laws governing the state's workforce development system, programs that may be offered by primary and secondary schools, certificates of qualification for employment, and the Opportunities for Ohioans with Disabilities Agency, and to designate the first week of May as In-Demand Jobs Week.

**Insurance****HB 197****EMT REIMBURSEMENTS (Patton, T.)**

To provide for insurance reimbursement for EMT services in nonemergency situations.

**State & Local Government****SB 37****POLICE CHIEF TRAINING (Hite, C.)**

To require the Ohio Peace Officer Training Commission to develop and conduct a chief of police training course for newly appointed village, city, and township chiefs of police.

**Transportation & Public Safety****SB 6****BRIDGE PROGRAM (Hoagland, F.)**

To extend the Ohio Bridge Partnership Program through the end of fiscal year 2019 and to

require the Director of Transportation to submit a report to the Governor, Senate, and House of Representatives recommending ways to continue to fund the program.

**HB 194**

**LICENSE PLATES (Johnson, T., Craig, H.)**  
To establish a program for the issuance of special license plates related to military service and awards.

**HB 195**

**WHEELCHAIR TRANSPORTS (Ingram, C., Seitz, B.)**  
To modify the provisions concerning the transport of persons who require the use of a wheelchair or other mobility aid in nonemergency circumstances.

## HOUSE SPEAKER'S APPOINTMENTS

**CRIMINAL JUSTICE: APPOINT REP. CELEBREZZE AS RANKING MEMBER**

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Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

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**Ohio Report, Tuesday, May 9, 2017**

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## **OHIO REPORT TUESDAY, MAY 9**

**House Chair Gauges Interest For Opt-Out With FirstEnergy ZEN Proposal****Panel Advances Workforce Discrimination Measure After Some  
Opposition Shifts To Neutral****Advocates Push For Passage Of Death Penalty Exemption****Senate Panel Moves Human Trafficking Bill****Sponsors Push Bill To Render Prevailing Wage Law Permissive****Opponents Urge Changes To First Responder Proposal****ECOT Supporters Rally Against E-School Attendance Calculation  
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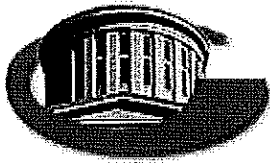
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# GONGWER Ohio

The Record of Capitol Square Since 1906

## Volume #86, Report #89 -- Tuesday, May 9, 2017

### House Chair Gauges Interest For Opt-Out With FirstEnergy ZEN Proposal

The chairman of the House Public Utilities Committee on Tuesday repeatedly floated the idea of permitting FirstEnergy customers to opt-out of a proposed zero-emission credit program.

The suggestion from Rep. Bill Seitz (R-Cincinnati), raised during the bill's second hearing, could lay the groundwork for a future attempt to advance the controversial bill that both lawmakers and opponents are skeptical will gain support in both chambers in its current form.

As proponents and opponents sounded off on the bill (HB 178), Rep. Seitz likened his idea to a recent House-passed bill that would permit utilities to opt out of the renewable energy standards (HB 114). (See Gongwer Ohio Report, March 30, 2017)

Why not do the same in this case, he asked witnesses.

"I think we're onto something," the Cincinnati Republican remarked of the ZEN bill, pointing out widespread support among Cleveland area churches and unions. "It sounds like everybody north of I-70 is for it."

Opponents, meanwhile, continued voicing their opposition to the bill, even as they admit they're skeptical it will pass both chambers. A Senate companion bill (SB 128) faces an "uphill climb" in gaining Republican support, sponsors and leaders in that chamber have said. (See Gongwer Ohio Report, April 26, 2017)

"I have yet to find a member other than the sponsors of the legislation...who think this has any movement at all," API-Ohio Executive Director Chris Zeigler, an opponent, said in a morning press call timed with the bill's hearing.

API and others argue the bill will subsidize outdated nuclear plants at the expense of natural gas resources and consumers. Fifteen opponents addressed the committee Tuesday, urging lawmakers to kill the bill.

Responding to a question from Rep. Seitz, Dynegy President and CEO Robert Flexon said the issuance of subsidies has eroded investor faith in the competitive market.

"There is nothing in Ohio law that prevents any Ohio-based utility from constructing a new power plant via their unregulated generation affiliate," Mr. Flexon said. "They simply choose not to do so. Instead, they are asking you to ensure they continue to collect revenue for plants that are no longer economic."

But proponents argue the proposal is necessary to stave off the closures of the Davis-Besse and Perry plants. FirstEnergy President and CEO Chuck Jones told the committee last week he couldn't guarantee the plants' survival even with the ZEN program. (See Gongwer Ohio Report, April 25, 2017)

"Our members depend on nuclear plant work to make ends meet for their families and there simply is no replacement for those jobs," testified Terry Joyce, business manager of Cleveland's Building Laborers Union Local 310. "Closure of the plants would not only create great uncertainty for our members, but also for the other businesses they serve."

International Brotherhood of Electrical Workers Local 245 Business Manager Larry Tscherne added that the plants bring in more than \$500 million in direct and indirect gross domestic product a year. "Losing those massive economic engines is simply not something we can afford," he said.

Opponents told committee members the bill would drive up consumer costs - a figure that Ohio Consumers' Counsel and Northeast Ohio Public Energy Council representative Jeff Jacobson placed at about \$1,000 over the program's 16-year life. He argued competition in the energy markets is working, but is continually undermined by utilities' requests for subsidies.

"Even if these plants were to close, Ohio has about eight new power plants that are in different stages of planning and construction," Mr. Jacobson said. "Those plants will have to be run economically and will have no ability to obtain a similar subsidy from Ohioans. They will employ Ohioans, pay Ohio local taxes, and if they clear the regional market, will cost Ohioans less than the two nuclear plants, if those two plants cannot be run economically."

ESPA President and CEO John Shelk said competitive markets are working. Now that prices are lower, some of the biggest proponents of a competitive market place want government intervention to increase their prices, he said.

Responding to questions, Mr. Shelk said he viewed the proposal as a subsidy. "You're essentially saying these plants can't compete on their own so we're giving them an out-of-market payment. To me that's a subsidy," he said.

But Philip Rudolph, vice president of construction company Rudolph Libbe Group, said the ZEN program is crucial for job retention and creation.

"This legislation will help preserve Ohio's two nuclear plants by ensuring they are fairly compensated for the clean, secure and reliable electricity they provide to families and businesses in our state," he said.

Other proponents testifying included the Ottawa County Emergency Management Agency, Laborer's Local 310, Cleveland Clergy Coalition and Perry Local Schools.

Opponents testifying also included the Nuclear Information and Resource Service, Clean Air Future, the Ohio Manufacturers' Association, Cooper Tire and Rubber, Lordstown Energy Center, Lightstone Generation, Scioto Energy, the League of Women Voters of Ohio, Environmental Defense Fund, Ohio Citizen Action, the Ohio Environmental Council, and AARP Ohio.

#### Panel Advances Workforce Discrimination Measure After Some Opposition Shifts To Neutral

A House committee on Tuesday reported a workplace discrimination measure that was amended to appease some opponents who warned that the as-introduced version would protect bullies who discriminate in the workplace.

The 9-5 vote of the House Economic Development, Commerce & Labor Committee followed the adoption of a substitute version and testimony from several previous opponents who told members that after months of negotiations they are now neutral on the bill ([HB 2](#)).

The bill ultimately passed along party lines with Democratic Reps. Michele Lepore-Hagan, Brigid Kelly, Alicia Reece, Michael Sheehy and Thomas West voting against the measure. In statements prior to the vote, Reps. Lepore-Hagan and West thanked sponsors for their collaborative approach, but expressed reservations the sub bill, although an improvement, would weaken civil rights law and open the door to more drastic changes in the future.

The bill from [Rep. Bill Seitz](#) (R-Cincinnati), which the Ohio Chamber of Commerce has pushed for years, was aimed at mirroring Ohio's civil rights law with its federal counterpart, according to proponents. But opponents

previously argued the bill would weaken workplace protections against discrimination and shield bullies by removing individual liability. (See Gongwer Ohio Report, March 7, 2017)

Fred Gittes, an employment attorney speaking for the Ohio Employment Lawyers Association and Protecting Ohio's Employees, told the committee he was shocked to be appearing before the committee as a neutral party. That's because he's been a strong opponent of lawmakers' previous 17 attempts to pass such legislation, he said.

Mr. Gittes, who voiced his objections to the committee several times in recent months, praised members and proponents for hearing his concerns about the bill and crafting an agreeable bill.

"OELA and POE care deeply about protecting Ohio's employees and the anti-discrimination laws in the workplace," Mr. Gittes said. "We have worked hard on behalf of all employees to provide amendments to this legislation to ensure that their rights are protected. We feel that substitute HB2 is fair and reasonable."

Two key changes in the bill include language requiring one to file a charge of discrimination before the Ohio Civil Rights Commission before filing a lawsuit and the extension of the previously proposed one-year statute of limitations for such claims to two years.

The substitute version of the bill also (Comp Doc):

- Prohibits the filing of a lawsuit unless one has received a notice of right to sue from the OCRC, has requested a notice and the commission fails to issue the notice within 45 days after the required date, or after the panel determines it is probable discrimination took place in that case.
- Permits a person to file a lawsuit without a notice of right to sue if the person seeks only injunctive relief or the person has filed a charge with both the OCRC and the federal Equal Employment Opportunity Commission.
- Restores individual liability compared to the introduced version by permitting a person to file a lawsuit or OCRC charge alleging an individual who is not the employer retaliated against the victim or aided the discriminatory behavior.
- Removes supervisor liability, but marries the Ohio definition of "agent of the state, political subdivision or person" to federal code.
- Preserves age discrimination remedies as provided by current law and grants those claims the same time limits for filing as other discrimination claims.
- Codifies affirmative defense for sexual harassment claims to match federal law.

Ohio Chamber Director of Labor and Legal Affairs Don Boyd said the changes in the substitute version were reached after ongoing talks with the OCRC and other interested parties. He emphasized the chamber's view that the bill is needed to streamline the employment discrimination resolution process and ease the burden on businesses which often face such lawsuits years after the incident in question occurred.

"HB2 fixes the problems...in a manner that is workable for employers, employees and the state," Mr. Boyd said. "Simply put, substitute HB2 restores balance to Ohio's employment discrimination statutes and reclaims legislative control of this significant issue. It does so in a way that addresses the concerns many businesses have with the statutes while still protecting Ohio's workers and creating good public policy for the state."

OCRC Chairman Leonard Hubert said the group is grateful for sponsors' willingness to discuss the bill and supports the sub bill's requirement that complaints must first be filed with the OCRC before pursuing a lawsuit.

"Requiring complainants to first file with the OCRC will give all parties the option of engaging in OCRC's free alternative dispute resolution programs. All charges will also have the opportunity to go through our more cost-efficient investigative and administrative process," he said. "Crucially, an exhaustion requirement would also

allow the state to measure the problem of employment discrimination in our state through superior data collection."

The Ohio Association for Justice also dropped its opposition to the bill in written testimony.

"While we question the need for the legislation, in our judgement the amended bill should not deprive Ohioans of their legal right to seek redress for discrimination or harassment in the workplace," Executive Director John Van Doorn wrote.

### Advocates Push For Passage Of Death Penalty Exemption

Executing individuals with severe mental illness provides little deterrence and should be outlawed, a former Ohio Supreme Court justice told a House panel Tuesday.

Evelyn Lundberg Stratton was joined by three others in urging the House Criminal Justice Committee to pass bipartisan legislation ([HB 81](#)) that would exempt from the death penalty those diagnosed with schizophrenia, schizoaffective disorder, bipolar disorder, major depressive disorder or delusional disorder at the time a capital offense was committed.

"As a former justice on the Ohio Supreme Court, it has been my long-held belief that the Ohio General Assembly should enact provisions exempting people with serious mental illness from the death penalty. It was my view then, as it is today, that deterrence is of little value as a rationale for executing offenders with severe mental illness when they have diminished impulse control and planning abilities," she said.

"The 'evolving standards of decency' which prohibit the execution of juveniles and those with intellectual disabilities should prohibit execution of those with serious mental illness."

Under the legislation, Ms. Lundberg Stratton said, those currently jailed for capital offenses would have 365 days from the effective date of the bill to apply for post-conviction relief.

"While there is no judicially-created exemption for capital defendants with serious mental illness in Ohio, for nearly 20 years, individual justices of the state supreme court, myself included, have questioned the appropriateness of executing capital defendants with demonstrated serious mental illness," she said.

Rep. Dorothy Pelanda (R-Marysville) asked if that provision would lead to the court system being flooded with death row inmates seeking to overturn their sentences.

Ms. Lundberg Stratton estimated just 10-15% of death row inmates would even qualify to file an application. She also explained that the law must be retroactive due to the U.S. Supreme Court's decision in the *Atkins* case.

Rep. Pelanda then questioned whether an attorney's failure to seek to overturn a death sentence on the grounds covered in the bill would lead to a slew of ineffective counsel claims. Ms. Lundberg Stratton said that would be unlikely.

Rep. Jim Butler (R-Oakwood) asked if those with severely diminished capacity due to drug use would be covered under the bill.

Ms. Lundberg Stratton said the bill was specifically written to exclude such cases.

Dr. Megan Testa, testifying on behalf of the Ohio Psychiatric Physicians Association, said given the definition of "serious mental illness" in the bill, only a fraction of Ohioans with mental illness would qualify.

"It has not been my experience as a psychiatrist to see people with mental illness find effective, tolerable treatments that resolve their symptoms, and then volitionally stop those medications. I do not see this, simply put, because nobody wants to be seriously mentally ill," she said.

"Given the realities of the mental health treatment system that we have in this country, and the limitations of available treatments, individuals who are not taking medications at the time they commit crimes are not undeserving of consideration for exclusion from the death penalty."

Stephen JohnsonGrove, deputy director for policy at the Ohio Justice & Policy Center, said both "competency to stand trial" and insanity defenses are insufficient in cases involving those with serious mental illnesses.

He said competency to stand trial standards do not address competency at the time of a crime and insanity defenses seldom work.

"Competency determinations, the insanity defense, and mitigation serve important roles in the criminal justice system, and each of these concepts demonstrate the extent to which mental illness can affect death penalty cases," he said.

"Unfortunately, none of these concepts adequately protect seriously mentally ill defendants from receiving the death penalty and being executed. As a result, House Bill 81 is essential to ensuring that seriously mentally ill defendants will be punished but will not be given the death penalty."

David Niven, a political science professor at the University of Cincinnati, said serious mental illness often works as an aggravating factor in sentencing for jurors.

"Leaving serious mental illness as a mitigating factor - rather than an excluding factor as this bill would do - thwarts the intent of most legislators by increasing the likelihood that less culpable individuals could be sentenced to death," he said.

Similar legislation (SB162, 131<sup>st</sup> General Assembly) cleared a Senate panel last year but did not receive a vote on the floor.

#### Senate Panel Moves Human Trafficking Bill

A Senate panel on Tuesday moved legislation to expand the list of offenses eligible for expungement for victims of human trafficking.

The Senate Judiciary Committee unanimously reported the legislation (SB 4) after it was amended to provide more judicial discretion based on a six-factor test in cases of first- and second-degree felonies.

"We've kind of a hit a point where we've got to land the plane or not land it," Chairman Sen. Kevin Bacon (R-Minerva Park) said of the amendment, which came about after the bill was criticized by the Ohio Prosecuting Attorneys Association.

The amendment was approved in an 8-2 vote, with Sen. Michael Skindell (D-Lakewood) and Sen. John Eklund (R-Chardon) voting against the changes.

Sen. Eklund said he is concerned that the change places additional obstacles in front of victims of human trafficking that other offenders do not face.

The bill and the amendment also drew criticism from Kari Bloom of the Office of the Ohio Public Defender. She said the amended version of the bill "reminds judges to think twice about doing the right thing."

"The list of considerations which a judge shall consider under the amendment is an expression of a misunderstanding of what human trafficking is and is not," she said.

She also expressed concern that the amended version of the bill gives prosecutors more control over the process.

"If we truly care about this group of trafficked victims and sealing and expunging their records, this amendment doesn't move us any closer to that," Ms. Bloom said.



Sen. Bacon said the panel was attempting to strike a balance with the amendment. But Ms. Bloom said the changes place more power in the hands of prosecutors.

"The state is always represented through the entire process," she said.

Ms. Bloom also sought to refute criticism of the legislation offered by OPAA Executive Director John Murphy. (See Gongwer Ohio Report, May 2, 2017)

She told members of the panel that expungement provision will help victims of human trafficking get back on their feet. However, she suggested the measure be amended to require clerks of court to send expungement orders to the Bureau of Criminal Investigation.

"There are countless instances where BCI did not receive the court's order to seal or expunge a record, and the conviction erroneously shows up on a background check. Employers, schools, and other government agencies who request and receive background checks rely on them for accuracy, and make employment decisions based on what BCI reports," she said. "That means people lose out on jobs or are dismissed from their positions because of the miscommunication between courts and BCI."

Ms. Bloom also took on Mr. Murphy's contention that victims of human trafficking raise duress defenses, calling it "poor public policy."

"Logistically, the person will have to take the stand and explain the trauma and events of their trafficked existence. Testifying about the people who trafficked him/her and how puts people in a very precarious position and makes them vulnerable to physical harm," she said.

Sasha Naiman, deputy director & second chance project director at the Ohio Justice & Policy Center, said the legislation solves two significant problems in allowing human trafficking survivors to apply to expunge virtually all criminal convictions and addressing arrests that did not lead to convictions.

"The non-convictions continue to appear on background checks, online clerk of courts sites, etc. Survivors have to take a separate action to seal these records - and even then, the records stay with the court and are accessible in the future (in limited situations)," she said. "It is necessary for non-convictions to also be expunged to fully realize the purpose of the original Safe Harbor Act."

The panel also heard testimony from Wanda Romans-Earls, a human trafficking survivor who has earned a degree in social work but is unable to obtain a license because of her lengthy criminal history.

"I need an expungement to leave my past behind me and become successful," she said.

Sen. Peggy Lehner (R-Kettering) asked Ms. Romans-Earls how she was able to escape human trafficking. Ms. Romans-Earls said she was only able to do so after her pimp was murdered.

#### Sponsors Push Bill To Render Prevailing Wage Law Permissive

Sponsors of a bill to allow communities to opt out of the state's prevailing wage law told a House committee Tuesday their proposal would restore local decision making and lower construction project costs.

Rep. Kristina Roegner (R-Hudson) and Rep. Craig Riedel (R-Defiance) made their arguments before the House Economic Development, Commerce & Labor Committee during the measure's first hearing. The sponsors' remarks lay the groundwork for a contentious debate with unions should the bill (HB 163) advance.

The legislation would essentially allow local governments to choose whether to comply with a law requiring contractors to pay union-scale wages for publicly funded construction projects that exceed \$250,000 in value. Rep. Roegner authored a similar bill last session (HB282, 131<sup>st</sup> General Assembly) that did not receive hearings.

"We have an opportunity with HB163 to lift the shackles of a state-mandated wage, allow for local decision making, and increase the buying power of each taxpayer-funded construction dollar," Rep. Roegner said. "Ohio should join the 20 states who do not burden their taxpayers with state-mandated wage laws."

Rep. Riedel called the measure a "common sense bill with a simple concept." Making prevailing wage permissive, he said, could ultimately save taxpayers money by restoring competition to the process.

"Most often, this mandated wage drives up and inflates the overall cost of a project, leaving that local government entity less money to work with on other construction projects," Rep. Riedel said. "By not allowing the labor rates to be part of the competitive bid process on a project, the taxpayer ends up overpaying because the free market is unable to play out."

But committee Democrats questioned whether the move would essentially repeal prevailing wage law, resulting in less income tax revenue for local governments and fewer construction jobs.

"Do you think we should increase the local government funds sent back to local governments instead of attacking decent wages?" Rep. Michele Lepore-Hagan (D-Youngstown) asked.

"I do not believe this is attacking decent wages," Rep. Roegner replied. "Quite the contrary. Regarding the local government fund, I believe that's a separate discussion itself."

When sponsors cited Indiana's success repealing its own prevailing wage law, Rep. Thomas West (D-Canton), pointed to a quote from Indiana Republican Rep. Ed Soliday who opined on video last year that the 2015 move "hasn't saved a penny."

Rep. Roegner said she hadn't seen Mr. Soliday's comment. "What I do have before me is years of data from several states that make a very compelling argument there is a fiscal reason to do this," she said.

She also emphasized a 2002 Legislative Service Commission analysis that she said determined Ohio's 1997 move to exempt school construction from prevailing wage law resulted in \$487.9 million in savings.

Rep. West questioned how reducing wages, and therefore income tax revenue, would save local dollars and asked whether the move would drive more people onto welfare programs.

Sponsors responded that although some wages would be lost, local governments could afford to conduct more construction projects which would equate to more jobs.

A similar bill (SB 72) was introduced in the Senate in March as is awaiting hearings before the Senate Finance Committee. (See Gongwer Ohio Report, February 28, 2017)

### Opponents Urge Changes To First Responder Proposal

Opponents of legislation designed to stiffen penalties for attacks on first responders and military members urged a House panel to rethink the measure.

The legislation (HB 38) would alter the offense of aggravated murder to include purposely causing the death of a first responder or military member when the victim was engaged in official duties or the offender's specific purpose was to kill a first responder or military member.

The measure also increases the penalty for felonious assault against a first responder or military member from a second-degree felony, absent any specification, to a first-degree felony that carries a mandatory sentence of three to eleven years. That prison term would be required to be served consecutively to any offenses committed at the same time.

But Kari Bloom of the Office of the Ohio Public Defender said the bill is problematic.

"Felonious assault is traditionally based on intent and serious physical harm, or intent and a threat of serious physical harm," she said. "HB38, however, removes the harm requirement from felonious assault, technically elevating a first-degree misdemeanor assault to a second-degree felony with prison time."

Ms. Bloom also raised concern about the potential for an offender to be charged with an enhanced crime if the victim had ever served in the military or as a first responder.

"I urge the committee to table this bill, but in the alternative, at least consider remedying the inappropriate and incoherent felonious assault portions, and delineate an elevated standard of proof of intentionally victimizing a member of this protected class," she said.

"Like the war on drugs, Medicaid reform, and gun laws, the topic of this bill excites visceral reaction from some areas of our state. And, statistics and data give us potential answers and information about what works, but it's up to us to use that information to influence public opinion."

Gary Daniels, chief lobbyist at the ACLU of Ohio, said the legislation is likely to add to the state's already overcrowded prison system.

"As a result of bipartisan efforts, states across the country continue to see their prison numbers decrease," he said. "But, not here in Ohio."

Mr. Daniels also asked members of the panel to put the legislation on hold until the Criminal Justice Recodification Committee wraps up its work.

"A balance must be struck," he said. "Under consideration is increasing Ohio's numerous mass incarceration and death penalty issues via passage of HB38 when current law already severely punishes those who commit the acts addressed in this bill."

Asked by Chairman Rep. Nathan Manning (R-N. Ridgeville) what impact the legislation would have on the state's prison population, Mr. Daniels cited Legislative Service Commission analysis that found after six years in effect, it would add at most several hundred thousands of dollars to the Department of Rehabilitation and Correction budget due to longer prison sentences.

Mr. Daniels also remarked on the amount of criminal justice legislation that makes its way through the General Assembly, calling it "death by a thousand cut."

"That's how we got to this mess in the first place," he said.

### ECOT Supporters Rally Against E-School Attendance Calculation Changes

Electronic Classroom of Tomorrow founder Bill Lager made a rare public appearance on Tuesday to make it known that he's angry about the state's treatment of e-schools.

He said during a Statehouse rally promoting ECOT that state changes to how online schools receive funding could undermine the efforts that have been made to provide Ohio students with alternative education opportunities.

"They keep telling us 'No,' and we know when the world says, 'No,' ECOT says 'Yes,'" Mr. Lager told the hundreds of supporters who took to the steps of the Statehouse with signs chants of, "We are ECOT."

ECOT and the Department of Education are currently embroiled in a legal battle over the agency's determination that e-schools must show students are logging in to participate in 920 hours of learning opportunities each year. (See Gongwer Ohio Report, December 15, 2016)

The state's largest e-school was unable to produce such information for a number of students, meaning it could owe the state about \$60 million in overpayments for students that were reported as being full time last year.

ODE won the case in the first round, but ECOT is currently pushing for that decision to be overturned in appeals court.

Mr. Lager explained that the idea for the e-school was also borne out of anger with the state's education system. His stepdaughter had a chronic illness and was not able to continue schooling because no brick and mortar school could accommodate her hospital stays, he said.

He teared up speaking about her as well as an ECOT student who he said was proud to make earning a diploma her final life goal after she was diagnosed with cancer and couldn't attend traditional schools because of her treatments.

"No two students are alike. Isn't it time we get that message and get it now?" Mr. Lager said.

ECOT Board President Andrew Brush said requiring students to log in for a certain number of hours during defined time periods is difficult for some students, particularly those who are struggling with illnesses.

"We can tell there's a sickness in the very heart of the state's education administration when unelected bureaucrats want to cut (ECOT's) funding for a student who misses a week of classes because she's having chemotherapy or because he's in the hospital," he said. "And meanwhile, they don't cut one red cent of funding for traditional brick and mortar schools even if their students don't show up for an entire month without a doctor's excuse."

ECOT has hinted that the attendance calculation change could lead to significantly less funding and a possible shutdown of the school that currently enrolls about 15,000 students.

Teachers, students and a national e-school advocate also spoke at the rally, which they said was the first of its kind in school history. Supporters said it won't be the last unless there are changes made at the state level to ensure ECOT can continue serving students.

The rally has received criticism from some, however, including a handful of ECOT teachers who reported that the school's leaders attempted to make attendance at the event mandatory.

ECOT teachers told *The Columbus Dispatch* that they received emails saying they were required to be at the Statehouse Tuesday. Speaking anonymously, the educators said they would rather be teaching students than rallying for political issues.

Following the reports, the school sent new emails stating that attendance was optional.

ProgressOhio Executive Director Sandy Theis also spoke out against the rally, questioning how ECOT was paying for the buses that transported supporters to the Statehouse.

"Traditional schools are not permitted to take teachers and staff out of the classroom for a day-long political event and charter schools should have to follow the same ban," she said in a statement. "Instead of promoting their schools with fake news, ECOT officials should use their public funds to improve the school's terrible academic record."

The rally is the second that's recently touted school choice. Last week, more than 1,000 educators, parents and teachers met outside the Statehouse to promote school choice and legislation (SB 85) that would expand the availability of student scholarships. (See Gongwer Ohio Report, May 2, 2017)

Report Details Children Services Caseloads; Group Urges Support In Budget

The Public Children Services Association of Ohio urged lawmakers Tuesday to maintain an increase in funding for child protection, a plea that coincided with the release of the group's biennial factbook.

The factbook cited troubling trends that have placed additional burdens on the state's system.

"The ravages of the Great Recession, the scourge of the opioid epidemic, and the increasing complexity of children who need services from multiple systems have led to an 11 percent increase in the number of children in custody on any given day since 2010," the report found.

PCSAO also cited a 62% increase in children in custody placed with kin, and a 17% increase in placement costs since 2013.

County-level figures on children in custody, their placements and numbers of reports and cases are also available in the factbook.

"Nowhere else can you find county-by-county data demonstrating the debilitating impact of addiction and other factors on the child protection system," PCSAO Executive Director Angela Sausser said in a statement.

"Compounding the crisis is the state's share in children services funding, which suffered a 21% decrease in 2009 and has remained flat-funded at around \$45 million per year since then. Previous attempts at increasing the state's funding for children services resulted in competitive grants and one-time funding."

The House added a provision increasing the state's investment in child protection by \$15 million per year. It also included \$10 million in federal TANF money for child care for kinship families. Both of the proposals were part of the House's \$170 million dedicated to battling the drug crisis. (See [Gongwer Ohio Report, April 25, 2017](#))

The PCSAO pushed for the funding for kinship families and added money for child protective services as a way of dealing with the effects of the drug crisis. (See [Gongwer Ohio Report, April 14, 2017](#))

Ms. Sausser urged the Senate to maintain the added \$15 million or increase it.

"County agencies are spending \$55.6 million more in placement costs alone, and the cost of caseworker turnover is estimated at more than \$24 million per year," she said. "We are grateful to the House for increasing the State Child Protection Allocation by \$15 million per year, and we encourage the Senate to maintain or increase that investment. It is time for the state to invest in its children, families, and the system that protects the most vulnerable population, children services."

The factbook delves into several specific issues related to children services, such as multi-system youth. Children with mental illness, developmental disability or juvenile delinquency account for a large number of children in custody, the report said. Last July, 63% of children in the system were in custody for reasons aside from abuse or neglect, often because a parent is forced to relinquish custody to secure treatment or care for the child.

The report also looked at the high turnover among employees in the children services sector. Caseworkers often leave positions for more traditional jobs that pay better due to burnout or secondary trauma, PCSAO reported.

### Gongwer Statehouse Job Market Updated

Gongwer's Statehouse Job Market has been updated. The update is available on the [Gongwer website](#).

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to [gongwer@gongwer-oh.com](mailto:gongwer@gongwer-oh.com).

### Supplemental Event Planner

**Wednesday, May 10**


**Fraternal Order of Police news conference on legislation increasing penalties for motorists who fail to move over for vehicles stopped on shoulder, Harding Senate Press Rm., Statehouse, Columbus, 10 a.m.**

17 S. High St., Suite 630

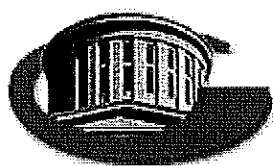
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Staff Writers

Click the  after a bill number to create a saved search and email alert for that bill.

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## Daily Activity Planner for Wednesday, May 10

### Legislative Committees

**House Health** (*Committee Record*) (Chr. Huffman, S., 466-8114), Rm. 121, 9 a.m.

**HB PHYSICAL THERAPY** (Gavarone, T., Reineke, B.) To modify the laws governing the practice of  
**131** physical therapy. (1st Hearing-Sponsor)

**HB ABORTION** (Patmon, B., Conditt, M.) To expand the crime of abortion trafficking and to increase the  
**149** penalty. (3rd Hearing-Opponent)

**Senate Ways & Means** (*Committee Record*) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

**SB AGRICULTURAL LAND** (Hite, C.) To require that the computation of the capitalization rate for the  
**36** purposes of determining CAUV of agricultural land be computed using a method that excludes appreciation and equity buildup and to stipulate that CAUV land used for a conservation practice or enrolled in a federal land retirement or conservation program for at least three years must be valued at the lowest of the values assigned on the basis of soil type. (6th Hearing-All testimony-Possible amendments & vote)

**SB TAX CREDITS** (Dolan, M.) To provide that compensation paid to certain home-based employees may be  
**131** counted for purposes of an employer qualifying for and complying with the terms of a Job Creation Tax Credit. (2nd Hearing-Proponent)

**House Government Accountability & Oversight** (*Committee Record*) (Chr. Blessing, L., 466-9091), Rm. 114, 9:30 a.m.

**HB FANTASY CONTESTS** (Dever, J., McColley, R.) To grant the Ohio Casino Control Commission the  
**132** authority to regulate fantasy contests and to exempt fantasy contests from the gambling laws. (2nd Hearing-Proponent)

**HB WASTE COLLECTION VEHICLES** (Green, D., Rogers, J.) To require motor vehicle operators to take  
**144** certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside. (1st Hearing-Sponsor)

**House Insurance** (*Committee Record*) (Chr. Brinkman, T., 644-6886), Rm. 115, 10 a.m.

**HBBWC BUDGET** (Brinkman, T.) To make changes to the Workers' Compensation Law, to make  
**27** appropriations for the Bureau of Workers' Compensation for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of the Bureau's programs. (6th Hearing-Possible amendments, substitute & vote)

**Senate Finance: Health & Medicaid Sub.** (*Committee Record*) (Chr. Hackett, B., 466-3780), North Hearing Rm., 10 a.m.

- Panel discussions on Managed Long Term Services and Supports and Behavioral Health Redesign

**House Agriculture & Rural Development** (*Committee Record*) (Chr. Hill, B., 644-6014), Rm. 018, 11 a.m.

**HB WATER QUALITY** (Patterson, J., Sheehy, M.) To require the Director of Agriculture to adopt rules **62** establishing the Ohio Water Quality Improvement Program, to exempt land enrolled in the Program from taxation, and to reimburse local taxing units for revenue lost due to that exemption. (1st Hearing-Sponsor)

**HBLIVESTOCK OWNERSHIP** (Brinkman, T.) To allow an owner of residential property to keep, harbor, **175**breed, or maintain small livestock on the property, and to prohibit zoning authorities from regulating certain agricultural activities conducted on residential property for noncommercial purposes. (1st Hearing-Sponsor)

**Senate Rules & Reference** (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

**House Session** (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

**Senate Session** (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

**Senate Finance: Primary & Secondary Education Sub.** (Committee Record) (Chr. Hite, C., 466-8150), Finance Hearing Rm., 2:30 p.m. or after session

- Informal budget hearing

~~Canceled: **House Armed Services, Veterans Affairs & Homeland Security** (Committee Record) (Chr. Johnson, T., 466-2124), Rm. 116, 4 p.m. or after session~~

**HB MILITARY TRANSFERS** (Perales, R., Craig, H.) To permit persons who quit work to accompany the **158**person's spouse on a military transfer to be eligible for unemployment compensation benefits. (1st Hearing-Sponsor)

**HB AVIATION HALL** (Perales, R.) To establish the Governing Board of the Ohio Aviation Hall of Fame and **183**Learning Center for purposes of establishing the Hall and inducting persons into it. (1st Hearing-Sponsor)

~~Canceled: **House Community & Family Advancement** (Committee Record) (Chr. Ginter, T., 466-8022), Rm. 114, 4 p.m.~~

**HB APPLICANT INFORMATION** (Dever, J.) To regulate the collection, use, and retention of certain **187** information obtained from an applicant during the employee selection process. (1st Hearing-Sponsor)

**HB KINSHIP CAREGIVERS** (Boyd, J., Rezabek, J.) To require a region-based kinship caregiver navigator **126** program. (2nd Hearing-Proponent)  
Agency Calendar

**Veterinary Medical Licensing Board**, Rm. 1914, 77 S. High St., Columbus, 8:30 a.m.

**Ethics Commission**, 30 West Spring Street, Rm. 2, 2nd Fl., Columbus, 11 a.m.

**BWC Nominating Council**, South Rm. A, 31st Fl., 77 S. High St., Columbus, 1 p.m.

Event Planner

**Ohio Dermatological Association free head and neck skin screening**, Statehouse Rotunda, Columbus, 10 a.m., (Screenings run from 10 AM - 12 PM and 2 PM - 4 PM)

**Fraternal Order of Police news conference on legislation increasing penalties for motorists who fail to move over for vehicles stopped on shoulder**, Harding Senate Press Rm., Statehouse, Columbus, 10 a.m.

**Rep. Sarah LaTourette (R-Chesterland) and Rep. Theresa Gavarone (R-Bowling Green) fundraiser**, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to LaTourette for Ohio and/or Citizens for Gavarone)



**Rep. Mike Henne (R-Clayton) fundraiser**, Condado Downtown, 132 S. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Mike Henne)

**Gov. Kasich to attend Ohio Tourism Day event**, West Plaza, Statehouse, Columbus, 12 p.m.

**Ohio Dermatological Association Legislative Reception**, Sheraton Capitol Square, 75 E. State St., Columbus, 4 p.m.

**Rep. Kathleen Clyde (D-Kent) fundraiser**, Oliver's, 26 N. High Street, Columbus, 5 p.m., (Sponsor \$5,000 Patron \$2,500 Host \$1,000 Supporter \$500 to Kathleen Clyde Committee)

**Rep. Janine Boyd (D-Cleveland Hts.) & Rep. Stephanie Howse (D-Cleveland) fundraiser**, Tony's, 16 W. Beck St., Columbus, 5:30 p.m., (Sponsor \$1,000 Host \$500 Friend \$350 to Friends of Janine Boyd and/or Friends of Stephanie Howse)

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## Senate Activity for Tuesday, May 9, 2017

### INTRODUCED

**SB ROAD NAMING** (Yuko, K.) To designate a portion of I-90 in Euclid as the "Army Specialist 4 Lawrence 146 George Stapleton Memorial Highway." En. 5534.601

**SB RURAL JOBS** (Hite, C.) To enact the "Ohio Rural Jobs Act" which authorizes a nonrefundable tax credit 147 for insurance companies that invest in rural business growth funds, which are certified to provide capital to rural and agricultural businesses. Am. 5725.98 and 5729.98 and to enact sections 122.15, 122.151, 122.152, 122.153, and 122.154

**SB ACCIDENT REPORTS** (Kunze, S., Huffman, M.) To require an accident report to indicate whether any 148 person involved in the accident wishes to be contacted for commercial solicitation purposes, to prohibit any person from using the information contained in an accident report for those purposes with regard to a person who did not agree to be contacted, and to allow a person to submit emergency contact information upon vehicle registration for inclusion in the next of kin database. Am. 4501.81 and 5502.11

### SENATE PRESIDENT'S APPOINTMENTS

Workers' Compensation Board Nominating Committee: Kurt Kaufman

### COMMITTEE HEARINGS

#### Judiciary

**SB HUMAN TRAFFICKING** (Kunze, S., Oelslager, S.) To allow a person who is found not guilty of an 4 offense or who is the defendant named in a dismissed criminal charge to apply for a court order to expunge the person's official records in the case if the charge or not guilty finding was the result of the applicant having been a human trafficking victim, to allow a person convicted of certain prostitution-related offenses to apply for the expungement of the conviction record of any offense, other than a specified disqualifying offense, the person's participation in which was a result of having been a human trafficking victim, and to allow intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution. (**REPORTED-AMENDED (See separate story)**; 4th Hearing-All testimony-Possible amendments & vote)

**Subscriber's note:** Full testimony is available on the [committee's website](#) under May 9.

Finance: General Government & Agency Review Sub.

The committee heard testimony from the Inspector General, State Treasurer and Ohio Elections Commission, as well as public testimony.

**Inspector General:** Randall Meyer said his office has worked to find efficiencies and reduce costs over the past six years, and that it now has a staff of 15. ([Redbook](#))

"We were in the process of hiring an additional investigator, but due to the budget uncertainty and the 1.5% cut our office received in the House version of the budget bill, we have held off on filling this position," he said.

Sen. Sean O'Brien (D-Hubbard) asked how much the reduced staffing has affected the length of investigations. Mr. Meyer said the average case now takes about 180 days longer, with each investigator handling about eight to 10 cases.

Sen. O'Brien also asked about a provision added in the House version of the budget bill (HB 49) that extends the IG's term to 2021.

The intent, Mr. Meyer said, was to depoliticize the office by ensuring the IG wouldn't be appointed along with the cabinet and other offices after a gubernatorial election.

"My goal was to never have an election cycle followed by the appointment of the inspector general," he said.

The change will allow the IG's term to run for four years from the midpoints of the governor's term.

**State Treasurer:** Deputy Treasurer Seth Metcalf testified on the budget request, for \$54.28 million in Fiscal Year 2018 and \$31.03 million in FY 2019, although actual treasurer's office expenses total \$16.06 million each year, with the rest for other programs, he said. (Redbook)

One change made by the House reduced the line item for promoting STABLE accounts from \$250,000 to \$100,000 per year.

"In our opinion, it seems like a sensible reduction given the current budget situation," Mr. Metcalf said.

Sen. O'Brien asked about the \$2 million in advertising spending in the STABLE program that Democrats have criticized for not going through the Controlling Board. A budget amendment added by the House would require similar expenses in the future to get Controlling Board approval.

Mr. Metcalf said the treasurer's office supports the amendment and followed the rules in paying for the advertising, as it was paid for in increments smaller than \$50,000. He also defended the advertisements, saying promotion was essential to create a strong program.

"I think Ohio has seen the benefit of this awareness campaign," he said. "We have the most STABLE accounts of any state in the country."

**Elections Commission:** Executive Director Philip Richter said the commission's caseload and profile have been reduced over the past few years because of a federal court decision eliminating the review of truth in political advertising, but that it continues to deal with campaign finance issues. (Redbook)

Sen. Frank LaRose (R-Copley) asked if the outstanding fines that have not been collected would allow the commission to subsist solely on fees and fines, and if there were ways to improve the collection of that money.

Mr. Richter said the commission currently has to work with the attorney general to collect fines that aren't paid, and many fines are uncollectible as campaign committees fulfill their purposes and are left with little money.

"The problem is in my opinion the commission would benefit from more enforcement authority in terms of declaring committees terminated or going out to get funds," he said. "Our authority to do anything is limited to sending out notices."

**Public Testimony:** David Gilbert, president of the Greater Cleveland Sports Commission, and Linda Logan, executive director of the Greater Columbus Sports Commission, urged the subcommittee to fund a program that provides money to sports commissions for certain major events based on the state sales tax collected as a result of them.

They asked that the program, housed in the Development Services Agency, be funded at \$450,000 in FY 2018 and \$150,000 at FY 2019.

Sen. John Eklund (R-Chardon) asked how the biennial budget cycles affect planning for major sporting events, which are often scheduled four or five years in advance.

Mr. Gilbert said some states have sustained sources of funding, such as the sale of certain license plates in Florida or special tax districts in Texas. Just knowing some state funding will be there, he said, will help leverage private investment, which makes up the bulk of the fundraising.

"It's our boards and the private sector that take on the lion's share," he said. "The state funding will leverage a lot of private funding."

Finance: Higher Education Sub.

The committee heard testimony from a number of different agencies on their requests in the budget bill (HB 49).

**Supreme Court:** Administrative Director Michael Buenger highlighted the changing role of the courts and the effect of the opioid crisis in outlining the court's budget priorities. He said the budget remains largely unchanged from the current biennium's budget, with no major changes or requests. (Redbook)

Sen. Sandra Williams (D-Cleveland) asked if he believed the money allocated in the House version of the budget to fighting the drug problem will be enough.

Mr. Buenger said the issue is the most intractable one he's seen in criminal justice in 25 years.

"Particularly in rural areas, the lack of treatment availability is a major concern," he said.

**Court of Claims:** Clerk Mark Reed asked the Senate to restore funding that was cut by the House. The executive budget recommended increases of 5.1% in Fiscal Year 2018 and 8.3% in FY 2019, which were cut. He urged the Senate to bring back increases of 3.7% in FY 2018 and 7.4% in FY 2019. (Redbook)

Mr. Reed cited judicial salary increases, new public records legislation and increasing employee benefits as drivers of costs.

"When we request an increase from the committee based on those factors, please keep in mind that the increase still does not bring us to the level of funding we had in 2011," he said.

**Adjutant General:** Maj. Gen. Mark Bartman said federal funding makes up a large portion of the office's budget, and cuts to state funding would limit the amount of federal money it could draw down. (Redbook)

Sen. Cecil Thomas (D-Cincinnati) asked if the state was reimbursed when National Guard forces were sent to other states to assist. Maj. Gen. Bartman said they are reimbursed by those states through the Emergency Management Assistance Compact.

After Maj. Gen. Bartman cited cybersecurity and the development of a cyber range as a priority, Sen. Williams asked if the guard was prepared for cyberattacks that would bring down all of the state's systems.

Maj. Gen. Bartman said it's a serious issue of concern at the state and federal level, and something the guard is constantly working on.

**State Library of Ohio:** State Librarian Beverly Cain said the executive budget recommended flat funding of about \$5.9 million per fiscal year. The House version, however, cut that to about \$5.1 million per year. (Redbook)

"Reductions of this magnitude would be devastating to the State Library and to the Regional Library Systems, which provide direct services and support to public and school libraries across the state," she said.

She asked that funding be restored to the level proposed in the executive budget, minus 1.5% to align with the across-the-board cuts proposed by the House.

**Workforce Transformation Office:** Director Ryan Burgess detailed proposals in the budget related to workforce development, including policies aimed at increasing access students have to work experience.

Other proposals included positioning libraries as "continuous learning centers," schools providing an OhioMeansJobs-ready designation to students who demonstrate job readiness, awarding college credit for pre-apprenticeship training, and prioritizing shorter-term certificates for adult learners.

He also discussed two proposals that were removed by the House: the addition to local school boards of non-voting members representing businesses, and a requirement that teachers conduct on-site visits with businesses as part of their professional development.

"Each proposal aims to better unite the business and education communities to develop proactive and in-demand education and training programs that will create a culture of continuous learning and prepare Ohioans for success in their 21st century careers," he said.

Sen. Williams said a lot of teachers have voiced concerns with the onsite visit requirements proposed in the executive version of the budget, and asked how that would work in an environment that already has districts struggling financially.

Mr. Burgess said the goal is to facilitate better interactions between businesses and schools.

"I understand their concerns but I also will tell you it's happening across the state already as a part of professional development that they already have in place," he said.

**Ohio Arts Council:** Executive Director Donna Collins highlighted the council's work over the past biennium, saying its strategic plan has been focused on investing, innovating, engaging and leading.

The executive budget proposed flat appropriations of nearly \$29.6 million, and the House version reduced it by \$388,500 to \$29.2 million. ([Redbook](#))

Chair [Sen. Randy Gardner](#) (R-Bowling Green) asked if most of the staff reductions - of more than half since Fiscal Year 2008 - had come in 2010-2011.

Ms. Collins said there have been a few layoffs since then, but most of the reductions came in that budget cycle.

"In the agency's heyday, the staff was 50," she said. "Today we're 16."

**Broadcast Educational Media:** Commission Executive Director Geoffrey Phillips said the 1.5% cut to the budget by the House can be shouldered, but will have effects on operations.

The budget includes \$3.7 million each fiscal year for operations and \$5.75 million per year in subsidies, including funding to public television, radio and radio reading services. ([Redbook](#))

"The future of education is in multi-media and online platforms," he said. "Not as a replacement for traditional education, but as a supplement."

Tom Rieland, the general manager of WOSU Public Media, praised the BEMC's work to consolidate the distribution of public television programming.

"BEMC is engaged in an exciting and important operational modernization project that impacts all of public television in Ohio," he said. "This centralization of public channels for distribution using the state's fiber infrastructure is an exemplary activity that is being replicated by public media at only two other locations across the country."

Dan Shellenbarger, executive director of Ohio Government Telecommunications, asked for the budget as requested for \$1.5 million in Fiscal Year 2018 and \$1.55 million in FY 2019. He said the additional money is needed to maintain the online storage system and to increase coverage of official events.

"When we work for state agencies, we do not charge them," he said. "We're saving tens of millions of dollars for agencies who take advantage of us."

He said OGT provides accurate records of what is said on the floor.


"We like to think that we have your backs with just the facts," he said.

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Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

**Sarah, How Does Your State Benefit from Intellectual Property Laws?**

1 message

**American Legislative Exchange Council** <kjohnson@alec.org>  
To: latoursm@gmail.com

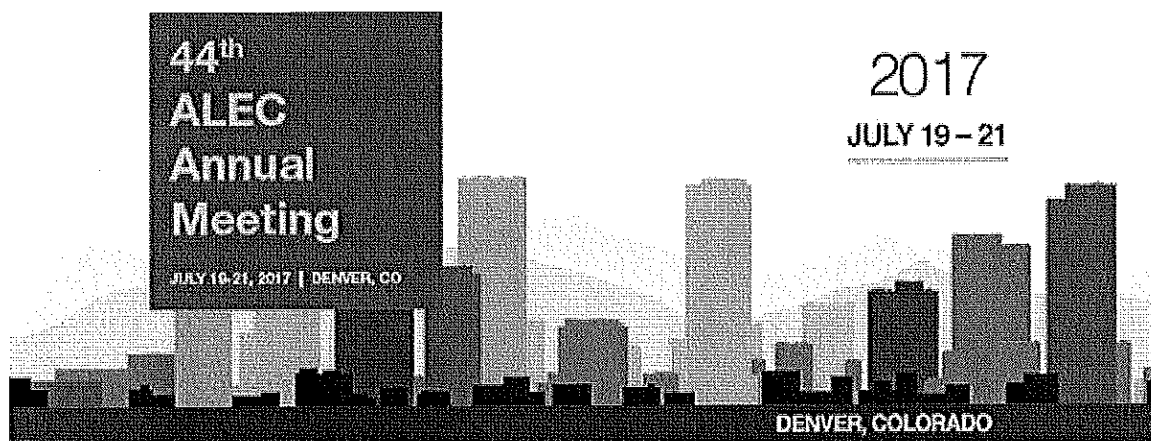
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## Expert Insight

### Accessing Pirated Content is Not Worth the Risk

Karla Jones | Intellectual Property


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"To promote the Progress of Science and useful Arts by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries."

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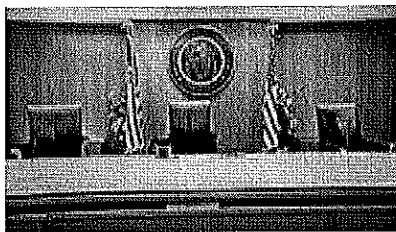


Forward

## Expert Insight

### Time for the FCC to Stop Regulating the Net Like it's 1934

Jonathon Hauenschild | *The Hill*


[Read the Full Article](#)

"I'm into discipline

Got a Bible in my hand and a beard on my chin

But if I finish all of my chores and you finish thine

Then tonight we're gonna party like it's 1699."

This stanza from Weird Al Yankovic's "Amish Paradise" is particularly relevant to the so-called net neutrality debate as both the song and the laws on which net neutrality are based look back to bygone eras present in this modern age. In Weird Al's case, he references a lifestyle that shuns modern technologies, choosing to live a simpler life. Click here for more.



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## Expert Insight

### ALEC-FreedomWorks Legislator of the Week

Representative Christina Hagan | OH - 50





Representative Christina Hagan is a native Ohioan and was born in Marlboro Township, Ohio. She received her B.A. in Business Administration from Malone University. She is currently seeking election in 2018 to the U.S. House to represent the 16th Congressional District of Ohio. [Click here for the full bio.](#)



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### Model Policy Spotlight

#### **Temporary Health Insurance Risk Pool Act**

**Summary:** This act creates a temporary health insurance state risk pool.

[Review the Model Policy](#)

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Sarah LaTourette Kayser &lt;latoursm@gmail.com&gt;

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**Ohio Report, Monday, May 15, 2017**

1 message

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Mon, May 15, 2017 at 6:00 PM

OHIO REPORT

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## OHIO REPORT MONDAY, MAY 15

**Senate Taking Second Look At Primary Care Program Cut By House****ODE, Teacher Unions Object To House's Elimination Of Training Program From Budget****Community Colleges Seek Backup Funds For Textbook Affordability Proposal****Property Tax Reimbursements Contribute To Significant April Underspending****Ohio Property Owners Sue Over Planned Pipeline****Rover Pipeline Company Seconds History Connection's Request For Federal Dispute Resolution****Groups Call For Greater Access To Attorneys For Youths; Legal Wrangling Over Autopsies Continues; New Attorneys Take Oaths...****Agency Briefs: Fraud Cases Encountered by DOC, BWC, Auditor; SOS; ODA; DAS; AG; ODJFS; OEPA****Kaptur, Ryan, Portman, Brown Introduce Bills To Protect Pensions; Stivers; Beatty; Latta...****Governor's Appointments**

## Supplemental Agency Calendar

## Supplemental Event Planner

# CALENDARS

## Day Planner

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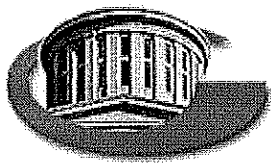
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## GONGWER Ohio

The Record of Capitol Square Since 1906

### Volume #86, Report #93 -- Monday, May 15, 2017

#### Senate Taking Second Look At Primary Care Program Cut By House

A Medicaid program designed to improve quality and save money in primary care that was eliminated in the House's revisions to the biennial budget bill could see new life in the Senate.

The House removed new spending for the Comprehensive Primary Care program when it adopted its substitute version of the budget (HB 49) last month. (See [Gongwer Ohio Report, April 25, 2017](#))

Eliminating the CPC program, also known as the patient-centered medical home program, would save the state nearly \$33 million in state share General Revenue Fund dollars over the biennium. ([LSC Comp Doc](#))

Brad Miller, spokesman for [Speaker Cliff Rosenberger](#) (R-Clarksville), said the program was cut as part of an effort to reduce spending by not approving any new program spending in Medicaid.

"The goal was essentially to try and maintain as best as possible, without spending new money," he said in an email.

The Kasich administration, meanwhile, said the program's elimination could end up costing the state more in the long run.

A [white paper](#) from the Governor's Office of Health Transformation said the termination of the program would reduce total spending to primary care doctors by \$123 million once federal drawdown money is included. It would also require the state to repay \$9.3 million in federal funding already spent on CPC practices and to forfeit \$36.1 million in federal grants.

The CPC program is also designed to save the state money by keeping patients healthier, with the state estimating it would save about \$370 million through 2020 by avoiding high-cost Medicaid services.

"We pay the best providers the same dollar amount that we pay the worst providers," Medicaid Director Barbara Sears said in an interview. "CPC allows us to begin to have that conversation about how do we benefit the providers who are most helping us reach what our goal is, and that is quality outcomes at a lower cost."

The CPC program, which launched early this year with a select group of practices and will expand to more in the coming years, is designed to incentivize primary care doctors to take a broader role in ensuring patients are healthy. That includes making access to basic care easier and dealing with the social determinants of health. The program is not limited to Medicaid, as private plans and Medicare have adopted similar models. (See [Gongwer Ohio Report, August 2, 2016](#))

The goal, Director Sears said, is to pay doctors to keep people healthy, not just for services.

"If it's fee-for-service, I know I have to pay by a code number, but I know there's things that don't fit into a code number that help people get better," she said.

The program has received support from some members of the Senate Finance Health and Medicaid Subcommittee. [Sen. Bob Hackett](#) (R-London), the subcommittee's chairman, said it didn't make much sense to

abandon the program once it has already started. He said the program is part of a shift toward keeping people more healthy, as opposed to paying to care for them when they're sick.

"The buy-in to wellness is the best I've ever seen in my lifetime," he said in an interview.

Director Sears fielded questions about the program during a hearing last week.

"If I fund them a little extra to keep somebody well, I will ultimately save money," she told Sen. Hackett. "What was taken out of the House in the CPC work essentially limits our opportunity to put a doctor in charge of somebody's wellness."

Sen. Dave Burke (R-Marysville) said the program is not a new concept and that removing it from the budget would stop the work that has already begun.

"It's also my understanding that CPC or comprehensive primary care actually has a return on investment to the state of Ohio," he said.

Encouraging more use of primary care doctors can save money for patients and payers by dealing with small problems before they become costly, said Reggie Fields, spokesman for the Ohio State Medical Association.

"You don't wait until you have a significant serious illness before you see a doctor," he said. "When you have access to a family physician, a primary care doctor, then you have the opportunity to have wellness checks and maybe identify some medical concerns before they become significant medical concerns."

#### ODE, Teacher Unions Object To House's Elimination Of Training Program From Budget

The administration and teacher groups are challenging a budget amendment backed by House leadership to eliminate a training program for new educators.

Speaker Cliff Rosenberger (R-Clarksville) proposed the change after hearing from teachers that the state's residency program and accompanying Resident Educator Summative Assessment was taking their focus away from students, his spokesman Brad Miller said.

Meanwhile, opponents of the budget (HB 49) change admit that the four-year process can be daunting and modifications are needed, but they insist it is necessary.

"We are concerned that the sudden elimination of this program will leave a gaping void in our system of supports for new teachers," Superintendent of Public Instruction Paolo DeMaria told the Senate Finance Committee and a subcommittee on primary and secondary education.

"We are committed to improvement, have made improvements every year, and would like to have the opportunity to address issues with the system, rather than see it eliminated," he said. "The resident educator program is an important part of Ohio's strategy for training educators for a life- long career of excellence in the classroom."

All new teachers are required to complete the program, which includes working with mentors, reflective journaling and a final exam.

The House-added language would eliminate the program and relieve those who are currently in the midst of it from passing a final exam in order to be awarded a five-year professional educator license.

Speaker Rosenberger believes that nixing the program would allow new educators to put more time and energy into their classrooms, his spokesman said.

"The speaker understands and appreciates the importance of having quality teachers in the classroom so that children can earn a top-notch education," Mr. Miller said. "He believes removing the burdens of this assessment will make it easier for them to do just that."

According to a Legislative Service Commission fiscal analysis, discontinuing RESA, which participating teachers can take in the third year of the program, would save the Department of Education \$5 million each fiscal year.

Districts could also see a financial benefit because they will no longer be required to train and provide mentors, the analysis notes.

Ultimately, Mr. Miller said the goal of the budget proposal is to bring about discussion on additional changes that can be made.

"The speaker believes this amendment can start an important conversation for how best to move forward, and he is always open to working with all sides of the issue," he said.

Ohio Federation of Teachers President Melissa Cropper said her organization is currently appealing to the Senate to maintain the program and require the Ohio Standards Board to recommend opportunities to streamline it.

The program would also be benefited by the state assigning districts more resources to ensure new teachers and those serving as mentors have the supports they need, she said.

"What we're trying to stress is that if you want to keep teachers in the profession, we've got to find a way to support them in those early years," Ms. Cropper said in an interview. "This program isn't perfect, but we can't just throw out the only support system that we currently have. If there are problems with the system, we have to find out how to make it better."

The Ohio Education Association's opposition to the amendment falls along the same lines.

"The primary reason that educators leave the profession is a lack of support. Ohio must retain quality mentoring and professional development for our new teachers in order for them to succeed with their students" the group said in a statement.

Although educators have taken issue with the exam component, doing away with the entire program "creates unintended consequences and raises unanswered questions regarding licensure," OEA continued.

Some adjustments to the program - regarded by stakeholders as positive - are already planned, Mr. DeMaria said.

Among the updates for next year are those that allow teachers to test out of the program in the third year and video tape instead of writing their responses to program assessments.

### Community Colleges Seek Backup Funds For Textbook Affordability Proposal

As lawmakers and the administration debate how to reduce student textbook costs through the biennial budget, community college leaders say they've already found a way to save their students as much as \$30 million annually.

Fifteen of the state's community colleges have proposed joining forces to create open education resource materials with the help of a \$750,000 Innovation Grant. The \$5 million grant program was created in the current budget to provide awards of up to \$1.5 million to institutions with innovative project proposals.

Led by North Central State Community College, the grant proposal submitted in January outlines plans to create free online materials for 20 of the most popular community college courses. The consortium of colleges estimated the reading materials would be used by 225,000 students.